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8
9 UNITED STATES BANKRUPTCY COURT

10 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

11 In re
12 FRIENDLY VILLAGE MHP, ASSOCIATES,
L.P.,

13 Debtor.
14
15
16
17

Case No. 8:18-bk-13638-ES

Chapter 7

TRUSTEE’S MOTION TO APPROVE USE,
SALE OR LEASE OF ESTATE PROPERTY
UNDER § 363; AND DECLARATION OF
RICHARD A. MARSHACK IN SUPPORT

Date: May 9, 2019
Time: 10:30 a.m.
Ctrm: 5A

18 TO THE HONORABLE ERITHE A. SMITH, UNITED STATES BANKRUPTCY JUDGE, THE
19 OFFICE OF THE UNITED STATES TRUSTEE, AND ALL OTHER INTERESTED PARTIES:

20 Richard A. Marshack, in his capacity as Chapter 7 Trustee (“Trustee”) for the Bankruptcy
21 Estate (“Estate”) of Friendly Village MHP, Associates, L.P. (“Debtor”), brings this motion
22 (“Motion”) for entry of an order authorizing the use of Estate assets outside of the ordinary course of
23 business to allow the Trustee to hire contractors to perform testing and make capital improvements
24 to the property located at 5450 Paramount Blvd., Long Beach, California (“Property”) which will
25 improve the safety of residents and have been demanded by the Los Angeles County Department of
26 Health (“LACPH”), after an inspection by the Local Enforcement Agency (“LEA”) detected
27 elevated levels of methane on the property.

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1 **1. Summary of Argument**

2 The Trustee has a duty to protect and liquidate assets of the Estate. Currently, the Trustee is
3 in the process of marketing the Property for sale. In January 2019, the Trustee received a letter from
4 LEA regarding exceedances of and the potential subsurface migration of methane gas from the
5 Property (“January 8th Letter”).

6 Shortly thereafter, the Trustee, through his property manager Investors’ Property Services
7 (“IPS”) engaged Northstar Environmental Remediation Inc. (“Northstar”) to prepare a compliance
8 schedule and work plan in response to the LEA’s January 8 Letter. Under the duly prepared
9 compliance schedule, additional testing needs to be conducted and capital improvements need to be
10 made to the Property in order to satisfy environmental and safety regulations. Because the testing
11 and improvements may be outside of the ordinary course of business, and will likely require funding,
12 the Trustee respectfully moves this Court for authorization to expend a capped portion of the
13 monthly cash flow from the Debtor’s operations in order to fund the required improvements.

14 **2. Statement of Facts**

15 On October 2, 2018, Friendly Village MHP Associates L.P. (“Debtor”) filed a voluntary
16 petition under Chapter 7 of Title 11 of the United States Code. A true and correct copy of the
17 webPACER docket for case number 8:18-bk-13638-ES as of April 17, 2019, is attached to the
18 Declaration of Richard A. Marshack (“Marshack Declaration”) as **Exhibit 1**. On October 5, 2018,
19 Richard A. Marshack was appointed as the Trustee, after the resignation of Karen Naylor as the
20 interim trustee. Marshack Decl., ¶4.

21 The Debtor owns a mobile home park located at 5450 North Paramount Blvd., Long Beach,
22 California, 90805 (“Property”). *Id.*, ¶5. The Debtor’s general partner is an entity called Friendly
23 Village GP, LLC, a California Limited Liability Company (“FV GP”). *Id.*

24 Immediately upon his appointment, the Trustee mobilized his investigation into the Debtor’s
25 financial affairs. *Id.*, ¶6. The Trustee was informed that the Debtor is the owner and operator of the
26 Property, a 182-unit, 18-acre, mobile home park in Long Beach, CA. *Id.*

27 Apparently, the bankruptcy case was precipitated by ongoing state court litigation
28 commenced on August 13, 2015, by Debtor’s tenants in the Superior Court of the State of California,

County of Los Angeles, entitled *Celestino Acosta, an individual, et al., v. City of Long Beach, a municipality; Friendly Village Mobile Associates L.P., D.B.A. Friendly Village of Long Beach, a California Limited Liability Company; Friendly Village MHP Associates L.P., D.B.A. Friendly Village of Long Beach, a California Limited Liability Company; Friendly Village, GP, LLC, a California Limited Liability Company; Sierra Corporate Management, Inc.; Kort and Scott Financial Group LLC; and Does 1-100*, assigned as Case No. BC591412 (“State Court Action”). *Id.*, ¶7.

On the Petition Date, the State Court Action was in the midst of a multi-week jury trial. On October 2, 2018, the State Court issued a ruling that the automatic stay under 11 U.S.C. § 362 pertained only to the Debtor, and allowed the trial to move forward as to all other defendants. *Id.*, ¶8. On October 12, 2018, the Bankruptcy Court granted the Trustee’s emergency motion for relief from stay so that the Debtor could conclude its defense of the ongoing trial. *Id.*, ¶9.

On October 21, 2018, the Debtor’s general partner, Friendly Village GP, LLC (previously defined as “FV GP”), filed its own Chapter 7 petition. Richard A. Marshack was also appointed Trustee in this case. *Id.*, ¶10. FV GP has no known assets other than its ownership interest in the Debtor and its rights as an insured on insurance policies, most of which are as a co-insured with Debtor and others. *Id.*, ¶11. All creditors in the FV GP case are substantially, if not actually identical. *Id.*, ¶12.

On October 22, 2018, the Trustee filed a motion for relief from stay in the FV GP case so that the trial as to its liability could also conclude. *Id.*, ¶13. On October 25, 2018, the Court entered an order granting the motion for relief from the automatic stay in the FV GP case. *Id.*, ¶14.

The gravamen of the State Court Action is that Debtor failed to maintain the Property. The State Court Action is being tried in “tranches.” *Id.*, ¶15. The first tranche, representing approximately 22% of the total plaintiffs resulted in a jury verdict of \$5.6 million in compensatory damages and \$32 million in punitive damages. *Id.*

Several agencies, including the California Department of Housing and Community Development (“HCD”) have issued notices of violation of codes which will likely require capital

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1 improvements to bring the Property into compliance with codes and regulations, and LEA has
2 demanded that certain testing and work be performed at the Property. *Id.*, ¶16.

3 The Trustee is bringing this Motion to conduct certain testing necessitated by the condition of
4 the Property and to make capital improvements necessary to address the issues in the January 8
5 Letter to bring the Property into compliance and insure the safety of the residents. *Id.*, ¶17.

6 **A. Continued Operations and the Rent Reduction and Release**
7 **Agreement**

8 Immediately upon his appointment, the Trustee retained Robert Warren (“Mr. Warren”) of
9 Investors’ Property Services Inc. (previously defined as “IPS”), as the estate’s property manager. *Id.*,
10 ¶18. On November 26, 2018, as Dk. No. 69, the Court entered an order approving IPS as the
11 property manager. *Id.*, Ex. 1 at pg. 28.

12 Rather than simply removing the tenants and restricting all access to the Property, the Trustee
13 negotiated a rent reduction and release agreement (“Rent and Release Agreement”). *Id.*, ¶20.
14 Pursuant to the terms of the Rent and Release Agreement, the Trustee agreed to reduce the monthly
15 rent. *Id.*, ¶21. In exchange, the tenants granted a general release to the Trustee, his professionals, and
16 the Estate from any liability arising post-petition. *Id.*, ¶22.

17 On October 25, 2018 as Dk. No. 47, the Trustee filed a motion (“Operate Motion”) for order
18 (1) authorizing operation of the Debtor’s business pursuant to 11 U.S.C. § 721; (2) authorizing
19 collection of rents; (3) authorizing the payment of operating expenses; and (4) approval of the rental
20 reduction and rent agreement. *Id.*, Ex. 1 at pg. 26. On November 26, 2018, as Dk. No. 68, the Court
21 entered an order granting the Operate Motion. *Id.*, at pg. 28.

22 On January 10, 2019, as Dk. No. 112, the Trustee filed a motion to extend the authorized
23 period for operating the Debtor’s prepetition business. *Id.*, Ex. 1 at pg. 35. On February 1, 2019, as
24 Dk. No. 130, the Court entered an order granting the motion and extending the authorized period to
25 operate the Debtor’s business to June 28, 2019 (“January 2019 Operate Order”). *Id.*, at pg. 38. A true
26 and correct copy of the January 2019 Operate Order is attached as **Exhibit 2** to the Marshack
27 Declaration.

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1 **B. County of Los Angeles Public Health Demand**

2 On or about January 8, 2019 Trustee received from LACPH a letter indicating that LEA had
3 inspected the Friendly Village Mobile Home Park property on a quarterly basis as a closed disposal
4 site . A true and correct copy of the January 8th Letter is attached to the Marshack Declaration as
5 **Exhibit 3**. The inspection revealed referenced in the January 8th Letter found exceedances of
6 methane gas in June, August and September 2018. Marshack Decl., Ex. 3 at 43.

7 As a result of the methane gas exceedances in June, August and September 2018, the LEA
8 issued an inspection report dated September 20, 2018 requesting the submission of a detailed work
9 plan for the installation of a gas collection system on the Friendly Village property. A true and
10 correct copy of the inspection report dated September 20, 2018 is attached to the Marshack
11 Declaration as **Exhibit 4**. The work plan was required to be submitted to the LEA by November 2,
12 2018. *See* Marshack Decl., Ex. 3 at 43. The Trustee was unaware of the September 20, 2018
13 inspection report (he was appointed on October 2, 2018) and had no notice of the issues until receipt
14 of the January 8th Letter. Marshack Decl., ¶30.

15 Immediately upon receipt of the January 8th Letter, the Trustee directed IPS to retain experts
16 and develop a work plan as demanded by LEA. *Id.*, ¶31. A workplan was prepared and submitted to
17 LACPH on or before January 22, 2019. A true and correct copy of the work plan submitted to
18 LACPH is attached to the Marshack Declaration as **Exhibit 5**. LACPH has requested revisions to
19 the work plan and an acceleration of the work. *Id.* The current remediation plan is broken down as
20 follows:

21 1) Methane Monitoring Under Structures:

- 22 a) Complete installation of explosive gas monitors under individual coaches;
23 b) Complete installation of the continuous methane gas monitoring system under the
24 Clubhouse and Apartments; and
25 c) Prepare and submit a maintenance plan for monitoring devices.

26 2) LFG Compliance Perimeter Wells:

- 27 a) Implement approved August 20, 2018 SMC monitoring plan for existing landfill gas
28 (LFG) and LFG Compliance Perimeter wells; and

- 1 b) Disposal of waste soils in DOT drums in Storage Yard.
- 2 3) Roadway Imperfections:
- 3 a) Complete report repairs as per October 24, 2017 SMC work plan surface imperfections.
- 4 4) Off-Site Methane Gas Control System:
- 5 a) Prepare and submit a remediation work plan to address the off-Site migration of
- 6 methane gas along a portion of the eastern boundary.
- 7 5) On-Site Methane Gas Collection and Control System:
- 8 a) Prepare and submit a gas collection and control work plan to address on-Site
- 9 methane gas.
- 10 To date, the Trustee has received bids as follows:
- 11 1) Methane Monitoring Under Structures:
- 12 a) \$35,867.00
- 13 b) \$4918.00; and
- 14 c) \$4,872.00.
- 15 2) LFG Compliance Perimeter Wells:
- 16 a) \$8,679 (monthly cost) plus \$21,854 annual; and
- 17 b) \$4,214.
- 18 3) Roadway Imperfections:
- 19 a) Unknown- costs are being developed.
- 20 4) Off-Site Methane Gas Control System:
- 21 a) Unknown- additional testing and analysis necessary.
- 22 5) On-Site Methane Gas Collection and Control System:
- 23 a) Unknown- additional testing and analysis necessary.

24 See Marshack Decl., Ex. 5, pgs. 49-58.

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1 **3. Legal Argument**

2 **A. The Trustee is authorized to use, sell, or lease property of the estate**
3 **in the ordinary course of business.**

4 “If the business of the debtor is authorized to be operated under section 721... the trustee
5 may enter into transactions, including the sale or lease of property of the estate, in the ordinary
6 course of business.” 11 U.S.C. § 363(c). A postpetition use, sale, or lease of property is in the
7 ordinary course of business if it satisfies both the horizontal dimension test, and the vertical
8 dimension test (also known as the “creditor’s expectation test”). *In re Dant & Russell, Inc.*, 853 F.2d
9 700, 704-06 (9th Cir. 1988). The horizontal dimension test compares the debtor’s businesses to other
10 similar businesses. *Id.* at 704 (“the test is whether the postpetition transaction is of a type that other
11 similar businesses would engage in as ordinary business”). For the horizontal test, “similarly situated
12 business facing *the same or similar problems*” are compared. *First Citizens Bank & Trust Co. v. Wilson*,
13 711 Fed.Appx. 374, 375 (9th Cir. 2017) (emphasis in original). The vertical dimension test compares the
14 debtor’s prepetition business activities to its postpetition transactions. *Id.* at 705. “If both tests are
15 satisfied, the court must conclude that the transaction occurred in the debtor’s ordinary course of
16 business.” *Aalfs v. Wirum (In re Straightline Investments)*, 525 F.3d 870, 879 (9th Cir. 2008).

17 Under the January 2019 Operate Order, the Trustee has been authorized by this Court to
18 continue to operate the Debtor’s pre-petition business through and including June 28, 2019. *See*
19 Marshack Decl., Ex. 2, pgs. 41-42. Based on such authorization, 11 U.S.C. § 363(c) allows the
20 Trustee to enter into transactions including sale or lease of estate property “in the ordinary course of
21 business.”

22 In this case, the Trustee believes that some aspects of Northstar’s proposed compliance
23 schedule would be in the ordinary course of the Debtor’s business. Marshack Decl., ¶35. For
24 example, the Trustee believes that it may be within the ordinary course of business for a
25 mobilehome park built over a landfill to install and monitor gas monitors on the premises to
26 safeguard residents’ health. *Id.*, ¶36. Generally speaking, it would be in the ordinary course of any
27 mobilehome park’s business to comply with health and safety regulations and/or demands from the
28 local enforcement agency. *Id.*, ¶37. Thus, the horizontal test is satisfied, as least for those portions of

1 the compliance schedule which would be within the ordinary course of the Debtor's business.
2 Arguably, it is also within the ordinary course of a mobilehome park facing a similar issue (a
3 demand letter from a local enforcement agency) to immediately mobilize to come into compliance
4 with such demands regarding health and safety, and spend whatever funds might be reasonably
5 necessary to achieve compliance. *Id.*, ¶38; see *First Citizens*, 711 Fed.Appx. at 375.

6 Moreover, pre-petition it appeared that Debtor had in place some safeguards and procedures
7 regarding methane gas. Marshack Decl., ¶39. Therefore, the vertical test is satisfied – completion of
8 the compliance schedule is a continuation of prior efforts to comply with regulations related to
9 methane gas in the Property. *Id.*, ¶40.

10 Because both the horizontal and vertical tests are satisfied, at least for some portions of the
11 compliance schedule which may not pose significant unanticipated costs to the Debtor, the Court
12 should authorize Trustee to enact certain portions of the compliance schedule which will not result in
13 substantial unbudgeted costs to the Estate which is being operated pursuant to 11 U.S.C. § 721.

14 **B. The Trustee may also use, sell, or lease property of the estate outside**
15 **of the ordinary course of business.**

16 A trustee “may use, sell, or lease, other than in the ordinary course of business, property of
17 the estate.” 11 U.S.C. § 363(b). “The court’s obligation in § 363(b) sales is to assure that optimal
18 value is realized by the estate under the circumstances.” *Simantob v. Claims Prosecutor, L.L.C. (In*
19 *re Lahijani)*, 325 B.R. 282, 288 (B.A.P. 9th Cir. 2005). For a trustee to use property of the estate,
20 “there must be some articulated business justification for using, selling, or leasing the property
21 outside the ordinary course of business... whether the proffered business justification is sufficient
22 depends on the case.” *Walter v. Sunwest Bank (In re Walter)*, 83 B.R. 14, 19-20 (B.A.P. 9th Cir.
23 1988) (adopting the language of *In re Continental Air Lines, Inc.*, 780 F.2d 1223, 1226 (5th Cir.
24 1986)).

25 Although the Trustee believes that a majority of the items listed on the compliance schedule
26 are within the ordinary course of business, in case the Court determines that certain aspects of the
27 compliance schedule are, on the other hand, outside of the ordinary course of business for the Debtor
28 and similarly situated businesses, the Trustee seeks authority to operate outside of the ordinary

1 course of business. Marshack Decl., ¶41. For example, the subsurface migration of methane gas is an
2 issue likely unique to this Property, which was built on top of a paved-over landfill. *Id.*, ¶42. The
3 methane gas originates from decomposing garbage under the Property, and poses an abnormal issue
4 for the Property which would not apply to other mobilehome parks built over a foundation of
5 inorganic material. *Id.*, ¶43. Because of the ground the Property is built on, it is subject to additional
6 regulations relating to landfills, such as 40 C.F.R. § 257.3-8 (which sets forth the federal limits for
7 explosive gases). *Id.*, ¶44. The professionals retained by IPS need to do additional testing and
8 monitoring to quantify this issue; however, the mitigation of this issue is expected to cost several
9 hundred thousand dollars. *Id.*, ¶45.

10 Ensuring the safety of the Property’s residents and neighbors is the Trustee’s top priority. *Id.*,
11 ¶46. As such, the mitigation, capture, and monitoring of dangerous, potentially explosive gases in
12 the Property is extremely important to the Trustee. *Id.* The Trustee respectfully requests that he be
13 authorized to, on an ongoing basis, expend up to \$40,000 per month to fund improvement projects
14 related to the mitigation of issues identified by the LEA. *Id.*, ¶47. Such expenditures will be fully
15 disclosed to the Court in the Trustee’s periodic operating reports. *Id.*, ¶48. This is approximately
16 20% of the monthly cash flow. *Id.*

17 **C. The 14-day stay under FRBP 6004(h) is unnecessary for**
18 **consummation of this use, sale, or lease, and should be waived.**

19 “An order authorizing the use, sale, or lease of property other than cash collateral is stayed
20 until the expiration of 14 days after entry of the order, unless the court orders otherwise.” FRBP
21 6004(h). The Court has discretion to waive the stay imposed by FRBP 6004(h). *See, e.g., Palladino*
22 *v. South Coast Oil Corp. (In re South Coast Oil Corp.)*, 566 Fed.Appx. 594, 595 (9th Cir. 2014)
23 (“Rule 6004(h) and the Advisory Committee Notes provide that the bankruptcy court has discretion
24 to decide whether the automatic stay imposed by the Rule applies”).

25 Given the notice and full opportunity to object or respond to this Motion, the Trustee believes
26 that, unless there are objections to the Motion that are not consensually resolved, good cause exists
27 for the Court to order that the stay of FRBP 6004(h) is not applicable. Marshack Decl., ¶49.
28 Accordingly, the Trustee requests that the Court order that the Trustee be authorized to enter into the

1 Agreement with any tenant upon entry of the Order approving this Motion and authorizing the use of
2 the Property.

3 **4. Conclusion**

4 For all the foregoing reasons, Trustee requests that the Court enter an Order:

- 5 1. Granting the Motion;
- 6 2. Authorizing Trustee to employ and compensate contractors and other professionals to
7 execute the compliance schedule and address the demands of the LEA;
- 8 3. Authorizing the Trustee to, on an ongoing basis, expend up to \$40,000 per month to
9 fund improvement projects related to the mitigation of issues identified by the LEA;
- 10 4. Authorizing Trustee to execute all documents generally required engage, employ, and
11 compensate contractors and professionals to complete the compliance schedule, without further
12 notice or approval by the Court;
- 13 5. Waiving the 14-day stay under Federal Rule of Bankruptcy Procedure 6004(h); and
- 14 6. For such other and further relief as the Court deems just and proper.

15
16 Dated: April 17, 2019

MARSHACK HAYS LLP

17
18 By: /s/ Kristine A. Thagard
19 D. EDWARD HAYS
20 KRISTINE A. THAGARD
21 TINHO MANG
22 Attorneys for Chapter 7 Trustee,
23 RICHARD A. MARSHACK
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Declaration of Richard A. Marshack

I, RICHARD A. MARSHACK, declare and state as follows:

1. I am an individual over 18 years of age and competent to make this Declaration. If called upon to do so, I could and would competently testify as to the facts set forth in this Declaration. The facts set forth below are true of my personal knowledge.

2. I am the Chapter 7 Trustee ("Trustee") of the Bankruptcy Estate ("Estate") of Friendly Village MHP Associates, L.P. ("Debtor"). I have personal knowledge of the facts set forth herein, and if called upon to do so, could and would competently testify to those facts.

3. I make this Declaration in support of the Motion to Approve Use, Sale, or Lease of Estate Property ("Motion").

4. On October 2, 2018, Friendly Village MHP Associates L.P. ("Debtor") filed a voluntary petition under Chapter 7 of Title 11 of the United States Code. A true and correct copy of the webPACER docket for bankruptcy case number 8:18-bk-13638-ES is attached as **Exhibit 1**. On October 5, 2018, I was appointed as the Trustee, after the resignation of Karen Naylor as the interim trustee.

5. The Debtor owns a mobile home park located at 5450 North Paramount Blvd., Long Beach, California, 90805 ("Property"). The Debtor's general partner is an entity called Friendly Village GP, LLC, a California Limited Liability Company ("FV GP").

6. Immediately upon my appointment, I mobilized my investigation into the Debtor's financial affairs. I was informed that the Debtor is the owner and operator of the Property, a 182-unit, 18-acre, mobile home park in Long Beach, CA.

7. Apparently, the bankruptcy case was precipitated by ongoing state court litigation commenced on August 13, 2015, by Debtor's tenants in the Superior Court of the State of California, County of Los Angeles, *entitled Celestino Acosta, an individual, et al., v. City of Long Beach, a municipality; Friendly Village Mobile Associates L.P., D.B.A. Friendly Village of Long Beach, a California Limited Liability Company; Friendly Village MHP Associates L.P., D.B.A. Friendly Village of Long Beach, a California Limited Liability Company; Friendly Village, GP, LLC, a*

1 *California Limited Liability Company; Sierra Corporate Management, Inc.; Kort and Scott*
2 *Financial Group LLC; and Does 1-100*, assigned as Case No. BC591412 (“State Court Action”).

3 8. On the Petition Date, the State Court Action was in the midst of a multi-week jury
4 trial. On October 2, 2018, the State Court issued a ruling that the automatic stay under 11 U.S.C.
5 § 362 pertained only to the Debtor, and allowed the trial to move forward as to all other defendants.

6 9. On October 12, 2018, the Bankruptcy Court granted my emergency motion for relief
7 from stay so that the Debtor could conclude its defense of the ongoing trial.

8 10. On October 21, 2018, the Debtor’s general partner, FV GP, filed its own Chapter 7
9 petition. I was also appointed Trustee in that case.

10 11. FV GP has no known assets other than its ownership interest in the Debtor and its
11 rights as an insured on insurance policies, most of which are as a co-insured with Debtor and others.

12 12. All creditors in the FV GP case are substantially similar to that of the Debtor.

13 13. On October 22, 2018, I filed a motion for relief from stay in the FV GP case so that
14 the trial as to its liability could also conclude.

15 14. On October 25, 2018, the Court entered an order granting the motion for relief from
16 the automatic stay in the FV GP case.

17 15. The gravamen of the State Court Action is that Debtor failed to maintain the Property.
18 The State Court Action is being tried in “tranches.” The first tranche, representing approximately
19 22% of the total plaintiffs resulted in a jury verdict of \$5.6 million in compensatory damages and
20 \$32 million in punitive damages.

21 16. Several agencies, including the California Department of Housing and Community
22 Development (“HCD”) have issued notices of violation of codes which require capital improvements
23 to bring the Property into compliance with codes and regulations, and LEA has demanded that
24 certain testing and work be performed at the Property.

25 17. I am bringing this Motion to seek court authorization to conduct certain testing
26 necessitated by the condition of the Property and to make capital improvements necessary to address
27 the issues in the January 8 Letter to bring the Property into compliance and ensure the safety of the
28 residents.

1 18. Immediately upon my appointment as trustee of the Debtor, I retained Robert Warren
2 (“Mr. Warren”) of Investors’ Property Services Inc. (previously defined as “IPS”), as the estate’s
3 property manager.

4 19. On November 26, 2018, as Dk. No. 69, the Court entered an order approving IPS as
5 the property manager.

6 20. Rather than simply removing the tenants and restricting all access to the Property, I
7 negotiated a rent reduction and release agreement (“Rent and Release Agreement”).

8 21. Pursuant to the terms of the Rent and Release Agreement, I agreed to reduce the
9 monthly rent for each tenant who accepted the Rent and Release Agreement.

10 22. In exchange, the tenants granted a general release to me, my professionals, and the
11 Estate from any liability arising post-petition.

12 23. On October 25, 2018 as Dk. No. 47, I filed a motion (“Operate Motion”) for order
13 (1) authorizing operation of the Debtor’s business pursuant to 11 U.S.C. § 721; (2) authorizing
14 collection of rents; (3) authorizing the payment of operating expenses; and (4) approval of the rental
15 reduction and rent agreement.

16 24. On November 26, 2018, as Dk. No. 68, the Court entered an order (“Operating
17 Order”), granting the Operate Motion.

18 25. On January 10, 2019, as Dk. No. 112, I filed a second motion requesting an extension
19 of the allowed period to operate the Debtor’s business under 11 U.S.C. § 721.

20 26. On February 1, 2019, as Dk. No. 130, the Court entered an order further extending the
21 authorized period to operate the Debtor’s business to June 28, 2019 (“January 2019 Operate Order”).
22 A true and correct copy of the January 2019 Operate Order is attached here as **Exhibit 2**.

23 27. On or about January 8, 2019 I received a letter from the Los Angeles County
24 Department of Health indicating that LEA had inspected the Friendly Village Mobile Home Park
25 property on a quarterly basis as a closed disposal site (the “January 8th Letter”). A true and correct
26 copy of the January 8 Letter is attached as **Exhibit 3**.

27 28. The inspection referenced in the January 8th Letter found exceedances of methane
28 gas in June, August and September 2018 (which were months prior to the bankruptcy filing).

1 29. As a result of the methane gas exceedances in June, August and September 2018, the
2 LEA issued an inspection report dated September 20, 2018 requesting the submission of a detailed
3 work plan for the installation of a gas collection system on the Friendly Village property. A true and
4 correct copy of the inspection report dated September 20, 2018 is attached as **Exhibit 4**.

5 30. The work plan was required to be submitted to the LEA by November 2, 2018. I was
6 unaware of the September 20, 2018 inspection report (he was appointed on October 2, 2018) and had
7 no notice of the issues until receipt of the January 8th Letter.

8 31. Immediately upon receipt of the January 8th Letter, I directed IPS to retain experts and
9 develop a work plan as demanded by LEA.

10 32. A workplan was prepared and submitted to LACPH on or before January 22, 2019. A
11 true and correct copy of the work plan submitted to LACPH is attached as **Exhibit 5**. LACPH has
12 requested revisions to the work plan and an acceleration of the work. The current remediation plan is
13 broken down as follows:

14 1) Methane Monitoring Under Structures:

- 15 a) Complete installation of explosive gas monitors under individual coaches;
16 b) Complete installation of the continuous methane gas monitoring system under
17 the Clubhouse and Apartments; and
18 c) Prepare and submit a maintenance plan for monitoring devices.

19 2) LFG Compliance Perimeter Wells:

- 20 a) Implement approved August 20, 2018 SMC monitoring plan for existing landfill
21 gas (LFG) and LFG Compliance Perimeter wells; and
22 b) Disposal of waste soils in DOT drums in Storage Yard.

23 3) Roadway Imperfections:

- 24 a) Complete report repairs as per October 24, 2017 SMC work plan surface
25 imperfections.

26 4) Off-Site Methane Gas Control System:

- 27 a) Prepare and submit a remediation work plan to address the off-Site migration
28 of methane gas along a portion of the eastern boundary.

1 5) On-Site Methane Gas Collection and Control System:

- 2 a) Prepare and submit a gas collection and control work plan to address on-Site
3 methane gas.

4 33. To date, I have received bids as follows:

5 1) Methane Monitoring Under Structures:

- 6 a) \$35,867.00
7 b) \$4,918.00; and
8 c) \$4,872.00.

9 2) LFG Compliance Perimeter Wells:

- 10 a) \$8,679 (monthly cost) plus \$21,854 annual; and
11 b) \$4,214.

12 3) Roadway Imperfections:

- 13 a) Unknown- costs are being developed.

14 4) Off-Site Methane Gas Control System:

- 15 a) Unknown- additional testing and analysis necessary.

16 5) On-Site Methane Gas Collection and Control System:

- 17 a) Unknown- additional testing and analysis necessary.

18 34. Under the January 2019 Operate Order, I have been authorized by this Court to
19 continue to operate the Debtor's pre-petition business through and including June 28, 2019. Based
20 on such authorization, 11 U.S.C. § 363(c) allows me to enter into transactions, including sale or
21 lease of estate property "in the ordinary course of business."

22 35. In this case, I am informed and believe that some aspects of Northstar's proposed
23 compliance schedule would be in the ordinary course of the Debtor's business.

24 36. For example, I and informed and believe that it is within the ordinary course of
25 business for a mobilehome park built over a landfill to install and monitor gas monitors on the
26 premises to safeguard residents' health.

27 ///

28 ///

1 37. Generally speaking, I am informed and believe that it may be in the ordinary course
2 of any mobilehome park's business to comply with health and safety regulations and/or demands
3 from the local enforcement agency.

4 38. I am informed and believe that it also may be within the ordinary course of a
5 mobilehome park facing a similar issue (a demand letter from a local enforcement agency) to
6 immediately mobilize to come into compliance with such demands regarding health and safety, and
7 spend whatever funds might be reasonably necessary to achieve compliance.

8 39. The Debtor previously had in place some safeguards and procedures regarding
9 methane gas.

10 40. Completion of the compliance schedule is a continuation of prior efforts to comply
11 with regulations related to methane gas in the Property.

12 41. Certain aspects of the compliance schedule, on the other hand, may be considered by
13 this Court as being outside of the ordinary course of business for the Debtor and similarly situated
14 businesses.

15 42. For example, the subsurface migration of methane gas is an issue likely unique to this
16 Property, which was built on top of a paved-over landfill.

17 43. The methane gas originates from decomposing garbage under the Property, and poses
18 an abnormal issue for the Property which would not apply to other mobilehome parks, if they were
19 not built over a landfill.

20 44. Because of the ground the Property is built on, it is subject to additional regulations
21 relating to landfills, such as 40 C.F.R. § 257.3-8 (which sets forth the federal limits for explosive
22 gases).

23 45. The professionals retained by IPS need to do additional testing and monitoring to
24 quantify this issue; however, the full mitigation of this issue is expected to cost several hundred
25 thousand dollars.

26 46. Ensuring the safety of the Property's residents and neighbors is my top priority. As
27 such, the mitigation, capture, and monitoring of dangerous, potentially explosive gases in the
28 Property is extremely important to me.

1 47. I respectfully request that I be authorized to, on an ongoing basis, expend up to
2 \$40,000 per month to fund improvement projects related to the mitigation of issues identified by the
3 LEA.

4 48. Such expenditures will be fully disclosed to the Court in my periodic operating
5 reports. This is approximately 20% of the monthly cash flow.

6 49. I do not anticipate that there will be any objections to the approval of this Agreement.
7 As such, I believe good cause exists for the stay under FRBP 6004(h) to be waived, and for the
8 Court to enter an order allowing the sale to be consummated upon entry of the order approving the
9 sale.

10 I declare under penalty of perjury that the foregoing is true and correct. Executed on
11 April 17, 2019 at Irvine, California.

12 
13 _____
14 RICHARD A. MARSHACK
15 Chapter 7 Trustee
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Exhibit “1”

NoFeeRequired, NODISMISS

**U.S. Bankruptcy Court
Central District of California (Santa Ana)
Bankruptcy Petition #: 8:18-bk-13638-ES**

Assigned to: Erithe A. Smith
Chapter 7
Voluntary
Asset

Date filed: 10/02/2018
341 meeting: 02/05/2019
Deadline for filing claims: 05/13/2019
Deadline for filing claims (govt.): 04/01/2019

Debtor

Friendly Village MHP Associates LP
320 North Park Vista Street
Attention : Office
Anaheim, CA 92806
ORANGE-CA
Tax ID / EIN: 32-0430971

represented by **Howard Camhi**
9401 Wilshire Blvd 9th Fl
Beverly Hills, CA 90212
310-281-6375
Fax : 310-887-6840
Email: hcamhi@ecjlaw.com

Trustee

Karen S Naylor (TR)
4343 Von Karman Avenue, Suite 300
Newport Beach, CA 92660-2098
(949) 748-7936
TERMINATED: 10/05/2018

Trustee

Richard A Marshack (TR)
Marshack Hays LLP
870 Roosevelt
Irvine, CA 92620
949-333-7777

represented by **Arthur Grebow**
Grebow & Rubin LLP
16133 Ventura Blvd Ste 260
Encino, CA 91436
818-783-1100
Fax : 818-783-1103

D Edward Hays

Marshack Hays LLP
870 Roosevelt Ave
Irvine, CA 92620
949-333-7777
Fax : 949-333-7778
Email: ehays@marshackhays.com

Kristine A Thagard

870 Roosevelt Ave
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949-333-7777
Fax : 949-333-7778
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David Wood

Marshack Hays LLP

870 Roosevelt Ave

Irvine, CA 92620

949-333-7777

Fax : 949-333-7778

Email: dwood@marshackhays.com**U.S. Trustee****United States Trustee (SA)**

411 W Fourth St., Suite 7160

Santa Ana, CA 92701-4593

(714) 338-3400

| Filing Date | # | Docket Text |
|-------------|---|---|
| 10/02/2018 | <u>1</u> (6 pgs; 2 docs) | Chapter 7 Voluntary Petition for Non-Individuals . Fee Amount \$335 Filed by FRIENDLY VILLAGE MHP ASSOCIATES, L.P. Summary of Assets and Liabilities (Form 106Sum or 206Sum) due 10/16/2018. Schedule A/B: Property (Form 106A/B or 206A/B) due 10/16/2018. Schedule C: The Property You Claim as Exempt (Form 106C) due 10/16/2018. Schedule D: Creditors Who Have Claims Secured by Property (Form 106D or 206D) due 10/16/2018. Schedule E/F: Creditors Who Have Unsecured Claims (Form 106E/F or 206E/F) due 10/16/2018. Schedule G: Executory Contracts and Unexpired Leases (Form 106G or 206G) due 10/16/2018. Schedule H: Your Codebtors (Form 106H or 206H) due 10/16/2018. Schedule I: Your Income (Form 106I) due 10/16/2018. Schedule J: Your Expenses (Form 106J) due 10/16/2018. Declaration About an Individual Debtors Schedules (Form 106Dec) due 10/16/2018. Declaration Under Penalty of Perjury for Non-Individual Debtors (Form 202) due 10/16/2018. Statement of Financial Affairs (Form 107 or 207) due 10/16/2018. Chapter 7 Statement of Your Current Monthly Income (Form 122A-1) Due: 10/16/2018. Statement of Exemption from Presumption of Abuse (Form 122A-1Supp) Due: 10/16/2018. Chapter 7 Means Test Calculation (Form 122A-2) Due: 10/16/2018. Incomplete Filings due by 10/16/2018. (Camhi, Howard) WARNING: See docket entry NOS.4&5 for corrections. ALSO DEFICIENT FOR: Corporate Resolution Authoring Filing due 10/16/2018. Corporate Ownership Statement due 10/16/2018. Disclosure of Compensation of Attorney for Debtor due 120/16/2018. Statement of Related Cases due 10/16/2018. TERMINATED Schedule C, Schedule I, Schedule J, Declaration Re Schedule(Form 106Dec), Statement(Form 122A-1), Means |

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| | | Calculation(Form 122A-2), and Means Exempt(Form 122-A-Supp). These DOCUMENT ARE NOT REQUIRED. Modified on 10/2/2018 (Roque, Jewell). (Entered: 10/02/2018) |
| 10/02/2018 | | Receipt of Voluntary Petition (Chapter 7)(8:18-bk-13638) [misc,volp7] (335.00) Filing Fee. Receipt number 47806321. Fee amount 335.00. (re: Doc# 1) (U.S. Treasury) (Entered: 10/02/2018) |
| 10/02/2018 | 2 (62 pgs) | List of Creditors (Master Mailing List of Creditors) Filed by Debtor FRIENDLY VILLAGE MHP ASSOCIATES, L.P.. (Camhi, Howard) (Entered: 10/02/2018) |
| 10/02/2018 | 3 (2 pgs) | Meeting of Creditors with 341(a) meeting to be held on 11/14/2018 at 08:00 AM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Camhi, Howard) (Entered: 10/02/2018) |
| 10/02/2018 | | Set Case Commencement Deficiency Deadlines (ccdn) (RE: related document(s) 1 Voluntary Petition (Chapter 7) filed by Debtor Friendly Village MHP Associates LP) Corporate Resolution Authorizing Filing of Petition due 10/16/2018. Corporate Ownership Statement (LBR Form F1007-4) due by 10/16/2018. Statement of Related Cases (LBR Form F1015-2) due 10/16/2018. Disclosure of Compensation of Attorney for Debtor (Form 2030) due 10/16/2018. Incomplete Filings due by 10/16/2018. (Roque, Jewell) (Entered: 10/02/2018) |
| 10/02/2018 | 4 | Notice to Filer of Error and/or Deficient Document Petition was filed as Incomplete, but additional schedules or statements are deficient (Corporate Resolution Authoring Filing, Corporate Ownership Statement, Disclosure of Compensation of Attorney for Debtor, Statement of Related Cases). THE FILER IS INSTRUCTED TO FILE THE DEFICIENT DOCUMENTS. (RE: related document(s) 1 Voluntary Petition (Chapter 7) filed by Debtor Friendly Village MHP Associates LP) (Roque, Jewell) (Entered: 10/02/2018) |
| 10/02/2018 | 5 (1 pg) | Case Commencement Deficiency Notice (BNC) (RE: related document(s) 1 Voluntary Petition (Chapter 7) filed by Debtor Friendly Village MHP Associates LP) (Roque, Jewell) (Entered: 10/02/2018) |
| 10/02/2018 | | Receipt of Certification Fee - \$11.00 by 08. Receipt Number 80072158. (admin) (Entered: 10/02/2018) |

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| 10/02/2018 | | Receipt of Photocopies Fee - \$2.50 by 08. Receipt Number 80072158. (admin) (Entered: 10/02/2018) |
| 10/04/2018 | 6 (10 pgs) | BNC Certificate of Notice (RE: related document(s) 3 Meeting (AutoAssign Chapter 7b)) No. of Notices: 425. Notice Date 10/04/2018. (Admin.) (Entered: 10/04/2018) |
| 10/04/2018 | 7 (2 pgs) | BNC Certificate of Notice (RE: related document(s) 1 Voluntary Petition (Chapter 7) filed by Debtor Friendly Village MHP Associates LP) No. of Notices: 1. Notice Date 10/04/2018. (Admin.) (Entered: 10/04/2018) |
| 10/04/2018 | 8 (2 pgs) | BNC Certificate of Notice (RE: related document(s) 5 Case Commencement Deficiency Notice (BNC)) No. of Notices: 1. Notice Date 10/04/2018. (Admin.) (Entered: 10/04/2018) |
| 10/05/2018 | 9 (1 pg) | Renotice 341 Meeting to Correct Trustee's Name (BNC) 341(a) meeting to be held on 11/27/2018 at 01:00 PM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Corona, Heidi) (Entered: 10/05/2018) |
| 10/05/2018 | 10 (1 pg) | Withdrawal re: <i>of Interim Chapter 7 Trustee</i> Filed by Trustee Karen S Naylor (TR). (Naylor (TR), Karen) (Entered: 10/05/2018) |
| 10/05/2018 | 11 (1 pg) | Trustee withdrawal/resignation Filed by Trustee Karen S Naylor (TR). (Naylor (TR), Karen) (Entered: 10/05/2018) |
| 10/05/2018 | 12 (1 pg) | Notice of appointment and acceptance of trustee Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 10/05/2018) |
| 10/07/2018 | 13 (9 pgs) | BNC Certificate of Notice (RE: related document(s) 9 Renotice 341 Meeting to Correct Trustee's Name (BNC)) No. of Notices: 425. Notice Date 10/07/2018. (Admin.) (Entered: 10/07/2018) |
| 10/09/2018 | 14 (1 pg) | Renotice 341 Meeting (BNC) 341(a) meeting to be held on 11/6/2018 at 01:00 PM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Corona, Heidi) (Entered: 10/09/2018) |
| 10/09/2018 | 15 (12 pgs) | Adversary case 8:18-ap-01185. Notice of Removal <i>OF ALL STATE COURT CAUSES OF ACTION (LASC CASE NO. BC702267)</i> by FRIENDLY VILLAGE MHP ASSOCIATES, L.P., FRIENDLY VILLAGE MOBILE ASSOCIATES, LP, SIERRA CORPORATE MANAGEMENT, INC, FRIENDLY VILLAGE MHP |

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| | | ASSOCIATES, L.P., FRIENDLY VILLAGE GP, LLC, KORT & SCOTT FINANCIAL GROUP, LLC. Nature of Suit: (91 (Declaratory judgment)) (Laurin, Paul) (Entered: 10/09/2018) |
| 10/09/2018 | 16 (143 pgs) | Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Acosta v. City of Long Beach, Case No. BC591412 ; <i>Supplemental Memorandum of Points and Authorities and Declaration of Richard A. Marshack in Support; with Proof of Service</i> . Fee Amount \$181, Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 10/09/2018) |
| 10/09/2018 | | Receipt of Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM(8:18-bk-13638-ES) [motion,nman] (181.00) Filing Fee. Receipt number 47845292. Fee amount 181.00. (re: Doc# 16) (U.S. Treasury) (Entered: 10/09/2018) |
| 10/09/2018 | 17 (6 pgs) | Application shortening time Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 10/09/2018) |
| 10/10/2018 | 18 (1 pg) | Request for courtesy Notice of Electronic Filing (NEF) Filed by Wood, David. (Wood, David) (Entered: 10/10/2018) |
| 10/10/2018 | 19 (1 pg) | Request for courtesy Notice of Electronic Filing (NEF) Filed by Thagard, Kristine. (Thagard, Kristine) (Entered: 10/10/2018) |
| 10/10/2018 | 20 (4 pgs) | Order Granting Application and Setting Hearing on Shortened Notice (Hearing: 10/12/2018 at 2:00 pm, 411 West Fourth Street, Courtroom 5A, Santa Ana, CA 92701) (BNC-PDF) (Related Doc # 17) Signed on 10/10/2018 (Duarte, Tina) (Entered: 10/10/2018) |
| 10/10/2018 | 21 | Hearing Set (RE: related document(s) 16 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Trustee Richard A Marshack (TR)). The Hearing date is set for 10/12/2018 at 02:00 PM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 10/10/2018) |
| 10/10/2018 | 22 (5 pgs) | Notice of Hearing on Shortened Time re: Chapter 7 Trustee's Motion for Relief from the Automatic Stay Under 11 U.S.C. Section 362 (Action in NonBankruptcy Forum); with Proof of Service [10/12/18 at 2:00 p.m., Crtrm. 5A] Filed by Trustee Richard A Marshack (TR) (RE: related |

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| | | document(s) 16 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Acosta v. City of Long Beach, Case No. BC591412 ; <i>Supplemental Memorandum of Points and Authorities and Declaration of Richard A. Marshack in Support; with Proof of Service</i> . Fee Amount \$181, Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 10/10/2018) |
| 10/10/2018 | 23 (10 pgs) | Notice of Hearing on Shortened Time Re: Chapter 7 Trustee's Motion for Relief from the Automatic Stay Under 11 U.S.C. Section 362 (Action in NonBankruptcy Forum); with Exhibit; Proof of Service [Hrg. 10/12/18 at 2:00 p.m., Ctrm 5A] Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 16 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Acosta v. City of Long Beach, Case No. BC591412 ; <i>Supplemental Memorandum of Points and Authorities and Declaration of Richard A. Marshack in Support; with Proof of Service</i> . Fee Amount \$181, Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 10/10/2018) |
| 10/11/2018 | 24 (13 pgs) | Declaration re: <i>Declarations of Layla Buchanan, Chanel Mendoza, and Cynthia Bastida Regarding Notice of Hearing on Chapter 7 Trustee's Motion for Relief from the Automatic Stay Under 11 U.S.C. Section 362 (Action in NonBankruptcy Forum); with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 16 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Acosta v. City of Long Beach, Case No. BC591412 ; <i>Supplemental Memorandum of Points and Authorities and Declaration of Richard</i>). (Hays, D) (Entered: 10/11/2018) |
| 10/11/2018 | 25 (3 pgs) | Notice to Clerk to Not Dismiss the Bankruptcy Proceeding; with Proof of Service Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 10/11/2018) |
| 10/11/2018 | 26 (1 pg) | Request for courtesy Notice of Electronic Filing (NEF) Filed by Gage, Ben. (Gage, Ben) (Entered: 10/11/2018) |
| 10/11/2018 | 27 (9 pgs) | BNC Certificate of Notice (RE: related document(s) 14 Renotice 341 Meeting (BNC)) No. of Notices: 427. Notice Date 10/11/2018. (Admin.) (Entered: 10/11/2018) |
| 10/12/2018 | 28 | Hearing Held (RE: related document(s) 16 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM |

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| | | filed by Trustee Richard A Marshack (TR)) - MOTION GRANTED WITH MODIFIED ORDER LANGUAGE NOTED ON THE RECORD. (Duarte, Tina) (Entered: 10/12/2018) |
| 10/12/2018 | 29 (1 pg) | Renotice 341 Meeting (BNC) 341(a) meeting to be held on 11/27/2018 at 01:00 PM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Corona, Heidi) (Entered: 10/12/2018) |
| 10/12/2018 | 30 (2 pgs) | Order Granting motion for relief from automatic stay ACTION IN NON-BANKRUPTCY FORUM (BNC-PDF) (Related Doc # 16) Signed on 10/12/2018 (Duarte, Tina) (Entered: 10/12/2018) |
| 10/12/2018 | 31 (5 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 20 ORDER shortening time (BNC-PDF)) No. of Notices: 1. Notice Date 10/12/2018. (Admin.) (Entered: 10/12/2018) |
| 10/14/2018 | 32 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 30 Motion for relief from automatic stay ACTION IN NON-BANKRUPTCY FORUM (BNC-PDF)) No. of Notices: 1. Notice Date 10/14/2018. (Admin.) (Entered: 10/14/2018) |
| 10/14/2018 | 33 (9 pgs) | BNC Certificate of Notice (RE: related document(s) 29 Renotice 341 Meeting (BNC)) No. of Notices: 427. Notice Date 10/14/2018. (Admin.) (Entered: 10/14/2018) |
| 10/16/2018 | 34 (80 pgs; 6 docs) | Summary of Assets and Liabilities for Non-Individual (Official Form 106Sum or 206Sum) Filed by Debtor Friendly Village MHP Associates LP (RE: related document(s) 1 Voluntary Petition (Chapter 7)). (Attachments: # 1 Schedule A/B # 2 Schedule D # 3 Schedule E F # 4 Schedule G # 5 Schedule H) (Camhi, Howard) (Entered: 10/16/2018) |
| 10/16/2018 | 35 (1 pg) | Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202) Filed by Debtor Friendly Village MHP Associates LP (RE: related document(s) 1 Voluntary Petition (Chapter 7)). (Camhi, Howard) (Entered: 10/16/2018) |
| 10/16/2018 | 36 (9 pgs) | Statement of Financial Affairs for Non-Individual Filing for Bankruptcy (Official Form 107 or 207) Filed by Debtor Friendly Village MHP Associates LP (RE: related document(s) 1 Voluntary Petition (Chapter 7)). (Camhi, Howard) (Entered: 10/16/2018) |

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| 10/16/2018 | 37 (1 pg) | Statement of Related Cases (LBR Form 1015-2.1) Filed by Debtor Friendly Village MHP Associates LP (RE: related document(s) Set Case Commencement Deficiency Deadlines (ccdn)). (Camhi, Howard) (Entered: 10/16/2018) |
| 10/16/2018 | 38 (1 pg) | Disclosure of Compensation of Attorney for Debtor (Official Form 2030) Filed by Debtor Friendly Village MHP Associates LP (RE: related document(s) Set Case Commencement Deficiency Deadlines (ccdn)). (Camhi, Howard) (Entered: 10/16/2018) |
| 10/16/2018 | 39 (2 pgs) | Statement of Corporate Ownership filed. Filed by Debtor Friendly Village MHP Associates LP (RE: related document(s) Set Case Commencement Deficiency Deadlines (ccdn)). (Camhi, Howard) (Entered: 10/16/2018) |
| 10/16/2018 | 40 (1 pg) | Corporate resolution authorizing filing of petitions Filed by Debtor Friendly Village MHP Associates LP (RE: related document(s) Set Case Commencement Deficiency Deadlines (ccdn)). (Camhi, Howard) (Entered: 10/16/2018) |
| 10/18/2018 | 41 (1 pg) | Notice of Change of Address Filed by Creditor James Davis . (Reid, Rick) (Entered: 10/19/2018) |
| 10/19/2018 | | Receipt of Certification Fee - \$11.00 by 16. Receipt Number 80072231. (admin) (Entered: 10/22/2018) |
| 10/19/2018 | | Receipt of Photocopies Fee - \$2.50 by 16. Receipt Number 80072231. (admin) (Entered: 10/22/2018) |
| 10/22/2018 | 42 (1 pg) | Request for courtesy Notice of Electronic Filing (NEF) Filed by Kaufman, Jeffrey. (Kaufman, Jeffrey) (Entered: 10/22/2018) |
| 10/23/2018 | 43 (29 pgs) | Application to Employ Marshack Hays LLP as General Counsel ; <i>and Declaration of D. Edward Hays</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 10/23/2018) |
| 10/23/2018 | 44 (30 pgs) | Notice of motion/application Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 43 Application to Employ Marshack Hays LLP as General Counsel ; <i>and Declaration of D. Edward Hays</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 10/23/2018) |
| 10/23/2018 | 45 (1 pg) | Notice of Change of Address of Creditor James Davis Filed by James Davis . (Law, Tamika) (Entered: 10/23/2018) |

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| 10/25/2018 | 46 (120 pgs) | Motion <i>Trustee's Motion to Limit Notice of Certain Matters; Declaration of Richard A. Marshack in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 10/25/2018) |
| 10/25/2018 | 47 (123 pgs) | Motion <i>Trustee's Motion for Order to: Operate Business, Collect Rents, Pay Operating Expenses, and Approve Rental and Release Agreement between Estate and Tenants; Declaration of Richard A. Marshack in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 10/25/2018) |
| 10/25/2018 | 48 (24 pgs) | Application to Employ Investors' Property Services as Property Manager for Trustee and Estate <i>Declaration of Robert C. Warren in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 10/25/2018) |
| 10/25/2018 | 49 (32 pgs) | Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 46 Motion <i>Trustee's Motion to Limit Notice of Certain Matters; Declaration of Richard A. Marshack in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR), 47 Motion <i>Trustee's Motion for Order to: Operate Business, Collect Rents, Pay Operating Expenses, and Approve Rental and Release Agreement between Estate and Tenants; Declaration of Richard A. Marshack in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR), 48 Application to Employ Investors' Property Services as Property Manager for Trustee and Estate <i>Declaration of Robert C. Warren in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard)). (Hays, D) (Entered: 10/25/2018) |
| 10/25/2018 | 50 (1 pg) | Notice of Change of Address Filed by Zenon Villalobos . (Reid, Rick) (Entered: 10/26/2018) |
| 10/25/2018 | 51 | Hearing Set (RE: related document(s) 46 Motion for Order to Limit Notice Pursuant to Rules 2002 and 9007 of the Federal Rules of Bankruptcy Procedure, filed by Trustee Richard A Marshack (TR)). The Hearing date is set for 11/15/2018 at 10:30 AM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 10/26/2018) |
| 10/25/2018 | 52 | Hearing Set (RE: related document(s) 47 Chapter 7 Trustee's Motion for Order to: 1. Operate Business (Manage Real Property); 2. Collect Rents; 3. Pay Operating Expenses; and 4. Approve the Rent Reduction and Release Agreement |

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| | | Between the Trustee and the Tenants, filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 11/15/2018 at 10:30 AM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 10/26/2018) |
| 10/25/2018 | 53 | Hearing Set (RE: related document(s) 48 Application by Chapter 7 Trustee to Employ Investors' Property Services as Property Manager and Pay Management Expenses filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 11/15/2018 at 10:30 AM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 10/26/2018) |
| 10/26/2018 | 54 (1 pg) | Notice of Change of Address Filed by Esperanza Villalobos . (Reid, Rick) (Entered: 10/29/2018) |
| 11/05/2018 | 55 (5 pgs) | Supplemental <i>Supplement to Trustee's Motion to: (1) Operate Business; and (2) Approval of Rental and Release Agreement [Dk. No. 47]; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Hays, D) (Entered: 11/05/2018) |
| 11/07/2018 | 56 (12 pgs) | Monthly Operating Report. Operating Report Number: 1. For the Month Ending 10/31/18 <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 11/07/2018) |
| 11/08/2018 | 57 (12 pgs) | Application to Employ Karl T. Anderson CPA, Inc. as Trustee's Accountant <i>Declaration of Karl T. Anderson in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 11/08/2018) |
| 11/08/2018 | 58 (22 pgs) | Application to Employ Force 10 Partners LLC as Financial Analyst <i>Declaration of Adam Meislik in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 11/08/2018) |
| 11/08/2018 | 59 (2 pgs) | Withdrawal re: <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 58 Application to Employ Force 10 Partners LLC as Financial Analyst <i>Declaration of Adam Meislik in support; with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 11/08/2018) |
| 11/08/2018 | 60 (22 pgs) | Application to Employ Force 10 Partners LLC as Financial Analyst <i>Declaration of Adam Meislik in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 11/08/2018) |

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| 11/14/2018 | 61 (65 pgs) | Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 43 Application to Employ Marshack Hays LLP as General Counsel ; <i>and Declaration of D. Edward Hays</i>). (Hays, D) (Entered: 11/14/2018) |
| 11/15/2018 | 63 | Hearing Held (RE: related document(s) 46 Chapter 7 Trustee's Motion for Order to Limit Notice Pursuant to Rules 2002 and 9007 of the Federal Rules of Bankruptcy Procedure filed by Trustee Richard A Marshack (TR)) - Grant motion (Daniels, Sally) (Entered: 11/20/2018) |
| 11/15/2018 | 64 | Hearing Held (RE: related document(s) 47 Chapter 7 Trustee's Motion for Order to: 1. Operate Business (Manage Real Property); 2. Collect Rents; 3. Pay Operating Expenses; and 4. Approve the Rent Reduction and Release Agreement Between the Trustee and the Tenants filed by Trustee Richard A Marshack (TR)) - Motion Granted (Daniels, Sally) (Entered: 11/20/2018) |
| 11/15/2018 | 65 | Hearing Held (RE: related document(s) 48 Application to Employ Investors' Property Services as Property Manager and Pay Management Expenses filed by Trustee Richard A Marshack (TR)) - Motion Granted (Additional Declaration Not Required) (Daniels, Sally) (Entered: 11/20/2018) |
| 11/19/2018 | 62 (1 pg) | Renotice 341 Meeting (BNC) 341(a) meeting to be held on 12/11/2018 at 01:00 PM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Corona, Heidi) (Entered: 11/19/2018) |
| 11/21/2018 | 66 (9 pgs) | BNC Certificate of Notice (RE: related document(s) 62 Renotice 341 Meeting (BNC)) No. of Notices: 427. Notice Date 11/21/2018. (Admin.) (Entered: 11/21/2018) |
| 11/26/2018 | 67 (3 pgs) | Order Granting Motion for Order to Limit Notice Pursuant to Rules 2002 and 9007 of The Federal Rules of Bankruptcy Procedure. (BNC-PDF) (Related Doc # 46) Signed on 11/26/2018 (Steinberg, Elizabeth) (Entered: 11/26/2018) |
| 11/26/2018 | 68 (3 pgs) | Order Granting Motion To: 1. Operate Business (Manage Real Property); 2. Collect Rents; 3. Pay Operating Expenses; and 4. Approve Rent Reduction and Release Agreement Between Trustee and Tenants. (BNC-PDF) (Related Doc # 47) Signed on 11/26/2018 (Steinberg, Elizabeth) (Entered: 11/26/2018) |
| 11/26/2018 | 69 (2 pgs) | Order Granting Application by Chapter 7 Trustee to Employ Investors' Property Services as Property Manager and Pay |

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| | | Management Expenses (BNC-PDF) (Related Doc # 48) Signed on 11/26/2018. (Steinberg, Elizabeth) (Entered: 11/26/2018) |
| 11/28/2018 | 70 (6 pgs) | Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 57 Application to Employ Karl T. Anderson CPA, Inc. as Trustee's Accountant <i>Declaration of Karl T. Anderson in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard)). (Marshack (TR), Richard) (Entered: 11/28/2018) |
| 11/28/2018 | 71 (6 pgs) | Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 60 Application to Employ Force 10 Partners LLC as Financial Analyst <i>Declaration of Adam Meislik in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard)). (Marshack (TR), Richard) (Entered: 11/28/2018) |
| 11/28/2018 | 72 (4 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 67 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 11/28/2018. (Admin.) (Entered: 11/28/2018) |
| 11/28/2018 | 73 (4 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 68 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 11/28/2018. (Admin.) (Entered: 11/28/2018) |
| 11/28/2018 | 74 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 69 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 11/28/2018. (Admin.) (Entered: 11/28/2018) |
| 11/29/2018 | 75 (158 pgs) | Motion to Assume Lease or Executory Contract <i>Chapter 7 Trustee's Motion for Order: Extending the Time to Assume or Reject Exectuory Contracts Or, Alternatively, for Order Authorizing the Trustee to Assume Escrow and Buyback Agreement Pursuant to 11 U.S.C. Section 365(a); Memorandum of Points and Authoritiws; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 12/20/18 at 10:30 a.m., Ctrm. 5A]</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 11/29/2018) |
| 11/29/2018 | 76 (6 pgs) | Notice of motion/application Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 75 Motion to |

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| | | Assume Lease or Executory Contract <i>Chapter 7 Trustee's Motion for Order: Extending the Time to Assume or Reject Executory Contracts Or, Alternatively, for Order Authorizing the Trustee to Assume Escrow and Buyback Agreement Pursuant to 11 U.S.C. Section 365(a); Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 12/20/18 at 10:30 a.m., Ctrm. 5A] Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 11/29/2018)</i> |
| 11/29/2018 | 77 (111 pgs) | Motion to Extend Time <i>Chapter 7 Trustee's Motion for Order Extending Time to Assume or Reject Executory Contracts, or in the Alternative, Authorizing the Trustee to Assume Certain Unexpired Leases Pursuant to 11 U.S.C. Section 365(a); Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 12/20/18 at 10:30 a.m., Ctrm 5A] Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 11/29/2018)</i> |
| 11/29/2018 | 78 (5 pgs) | Notice of motion/application Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 77 Motion to Extend Time <i>Chapter 7 Trustee's Motion for Order Extending Time to Assume or Reject Executory Contracts, or in the Alternative, Authorizing the Trustee to Assume Certain Unexpired Leases Pursuant to 11 U.S.C. Section 365(a); Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 12/20/18 at 10:30 a.m., Ctrm 5A] Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 11/29/2018)</i> |
| 11/29/2018 | 79 (120 pgs) | Motion to Extend Time <i>Chapter 7 Trustee's Motion for Order Extending the Time to Assume or Reject General Liability and Environmental Liability Insurance Policies as Executory Contracts or; In the Alternative, Authorizing the Trustee to Assume Insurance Contracts and Executory Contracts Pursuant to 11 U.S.C. Section 365(a); Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 12/20/18 at 10:30 a.m., Ctrm 5A] Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 11/29/2018)</i> |
| 11/29/2018 | 80 (6 pgs) | Notice of motion/application Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 79 Motion to Extend Time <i>Chapter 7 Trustee's Motion for Order Extending the Time to Assume or Reject General Liability and Environmental Liability Insurance Policies as</i> |

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| | | <i>Executory Contracts or, In the Alternative, Authorizing the Trustee to Assume Insurance Contracts and Executory Contracts Pursuant to 11 U.S.C. Section 365(a); Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 12/20/18 at 10:30 a.m., Crtrm 5A] Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 11/29/2018)</i> |
| 11/29/2018 | 82 | Hearing Set (RE: related document(s) 75 Chapter 7 Trustee's Motion for Order: Extending the Time to Assume or Reject Executory Contracts or, Alternatively, for Order Authorizing the Trustee to Assume Escrow and Buyback Agreement Pursuant to 11 U.S.C. Section 365(a), filed by Trustee Richard A Marshack (TR)). The Hearing date is set for 12/20/2018 at 10:30 AM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 11/30/2018) |
| 11/29/2018 | 83 | Hearing Set (RE: related document(s) 77 Chapter 7 Trustee's Motion for Order Extending Time to Assume or Reject Executory Contracts or, in the Alternative, Authorizing the Trustee to Assume Certain Unexpired Leases Pursuant to 11 U.S.C. Section 365(a), filed by Trustee Richard A Marshack (TR)). The Hearing date is set for 12/20/2018 at 10:30 AM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 11/30/2018) |
| 11/29/2018 | 84 | Hearing Set (RE: related document(s) 79 Chapter 7 Trustee's Motion for Order Extending the Time to Assume or Reject General Liability and Environmental Liability Insurance Policies as Executory Contracts or, in the Alternative, Authorizing the Trustee to Assume Insurance Contracts and Executory Contracts Pursuant to 11 U.S.C. Section 365(a), filed by Trustee Richard A Marshack (TR)). The Hearing date is set for 12/20/2018 at 10:30 AM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 11/30/2018) |
| 11/30/2018 | 81 (5 pgs) | Declaration re: <i>Supplemental Declaration of D. Edward Hays In Support Application by Chapter 7 Turstee to Employ Marshack Hays LLP as General Counsel; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 43 Application to Employ Marshack Hays LLP as General Counsel ; and Declaration of D. Edward Hays). (Hays, D) (Entered: 11/30/2018) |

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| 12/03/2018 | 85 (3 pgs) | Order Granting Application by Chapter 7 Trustee to Employ Marshack Hays LLP as General Counsel [SEE ORDER FOR FURTHER RULING] (BNC-PDF) (Related Doc # 43) Signed on 12/3/2018. (Duarte, Tina) (Entered: 12/03/2018) |
| 12/05/2018 | 86 (4 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 85 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 12/05/2018. (Admin.) (Entered: 12/05/2018) |
| 12/06/2018 | 87 | Continuance of Meeting of Creditors (Rule 2003(e)) Filed by Trustee Richard A Marshack (TR). 341(a) Meeting Continued to 2/5/2019 at 01:02 PM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Marshack (TR), Richard) (Entered: 12/06/2018) |
| 12/13/2018 | 88 (12 pgs) | Monthly Operating Report. Operating Report Number: 2. For the Month Ending 11/30/18 <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 12/13/2018) |
| 12/13/2018 | 89 | Continuance of Meeting of Creditors (Rule 2003(e)) Filed by Trustee Richard A Marshack (TR). 341(a) Meeting Continued to 02/05/2019 at 01:02 PM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Marshack (TR), Richard) (Entered: 12/13/2018) |
| 12/19/2018 | 90 (24 pgs) | Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 57 Application to Employ Karl T. Anderson CPA, Inc. as Trustee's Accountant <i>Declaration of Karl T. Anderson in support; with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 12/19/2018) |
| 12/19/2018 | 91 (34 pgs) | Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 60 Application to Employ Force 10 Partners LLC as Financial Analyst <i>Declaration of Adam Meislik in support; with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 12/19/2018) |
| 12/20/2018 | 92 (2 pgs) | Order Granting Chapter 7 Trustee's Motion for Order Extending the Time to Assume or Reject Executory Contracts or, Alternatively, for Order Authorizing the Turstee to Assume Escrow and Buyback Agreement Pursuant to 11 U.S.C. Section 365(a) (BNC-PDF) (Related Doc # 75) Signed on 12/20/2018 (Duarte, Tina) (Entered: 12/20/2018) |

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| | | 12/20/2018) |
| 12/20/2018 | 93 (2 pgs) | Order Granting Chapter 7 Trustee's Motion for Order Extending Time to Assume or Reject Executory Contracts or, in the Alternative, Authorizing the Trustee to Assume Certain Unexpired Leases Pursuant to 11 U.S.C. Section 365(a) (BNC-PDF) (Related Doc # 77) Signed on 12/20/2018 (Duarte, Tina) (Entered: 12/20/2018) |
| 12/20/2018 | 94 (2 pgs) | Order Granting Chapter 7 Trustee's Motion for Order: Extending the Time to Assume or Reject General Liability and Environmental Liability Insurance Policies as Executory Contracts or, in the Alternative, Authorizing the Trustee to Assume Insurance Contracts and Executory Contracts Pursuant to 11 U.S.C. Section 365(a) (BNC-PDF) (Related Doc # 79) Signed on 12/20/2018 (Duarte, Tina) (Entered: 12/20/2018) |
| 12/20/2018 | 95 (81 pgs) | Statement <i>Professional Fee Statement - Number One (1) - Month of October 1, 2018 through December 15, 2018; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Hays, D) (Entered: 12/20/2018) |
| 12/20/2018 | 96 (197 pgs) | Motion <i>Chapter 7 Trustee's Motion to Approve Use, Sale, or Lease of Estate Property Under Section 363; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. Date 1/10/19 at 10:30 a.m., Ctrm 5A]</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 12/20/2018) |
| 12/20/2018 | 97 (5 pgs) | Notice of motion/application Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 96 Motion <i>Chapter 7 Trustee's Motion to Approve Use, Sale, or Lease of Estate Property Under Section 363; Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. Date 1/10/19 at 10:30 a.m., Ctrm 5A]</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 12/20/2018) |
| 12/20/2018 | 98 | Hearing Set (RE: related document(s) 96 Chapter 7 Trustee's Motion to Approve Use, Sale or Lease of Estate Property Under Section 363, filed by Trustee Richard A Marshack (TR)). The Hearing date is set for 1/10/2019 at 10:30 AM at Ctrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 12/21/2018) |
| 12/20/2018 | 102 | Hearing Held (RE: related document(s) 75 Chapter 7 Trustee's Motion for Order: Extending the Time to Assume or Reject Executory Contracts or, Alternatively, for Order Authorizing the Trustee to Assume Escrow and Buyback Agreement Pursuant to 11 U.S.C. Section 365(a) filed by Trustee Richard |

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| | | A Marshack (TR)) - MOTION GRANTED. Deadline extended to May 31, 2019. (Duarte, Tina) (Entered: 12/26/2018) |
| 12/20/2018 | 103 | Hearing Held (RE: related document(s) 77 Chapter 7 Trustee's Motion for Order Extending Time to Assume or Reject Executory Contracts or, in the Alternative, Authorizing the Trustee to Assume Certain Unexpired Leases Pursuant to 11 U.S.C. Section 365(a) filed by Trustee Richard A Marshack (TR)) - MOTION GRANTED. Deadline extended to May 31, 2019. (Duarte, Tina) (Entered: 12/26/2018) |
| 12/20/2018 | 104 | Hearing Held (RE: related document(s) 79 Chapter 7 Trustee's Motion for Order Extending the Time to Assume or Reject General Liability and Environmental Liability Insurance Policies as Executory Contracts or, in the Alternative, Authorizing the Trustee to Assume Insurance Contracts and Executory Contracts Pursuant to 11 U.S.C. Section 365(a) filed by Trustee Richard A Marshack (TR)) - MOTION GRANTED. Deadline extended to May 31, 2019. (Duarte, Tina) (Entered: 12/26/2018) |
| 12/22/2018 | 99 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 92 Order on Motion to Assume Lease or Executory Contract (BNC-PDF)) No. of Notices: 1. Notice Date 12/22/2018. (Admin.) (Entered: 12/22/2018) |
| 12/22/2018 | 100 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 93 Order on Motion to Extend Time (Generic) (BNC-PDF)) No. of Notices: 1. Notice Date 12/22/2018. (Admin.) (Entered: 12/22/2018) |
| 12/22/2018 | 101 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 94 Order on Motion to Extend Time (Generic) (BNC-PDF)) No. of Notices: 1. Notice Date 12/22/2018. (Admin.) (Entered: 12/22/2018) |
| 12/27/2018 | 105 (2 pgs) | Order Granting Application to Employ Karl T. Anderson CPA, Inc as Accountant (BNC-PDF) (Related Doc # 57) Signed on 12/27/2018. (Reid, Rick) (Entered: 12/27/2018) |
| 12/28/2018 | 106 (18 pgs) | Application to Employ Grebow & Rubin as Special Counsel for Trustee and Estate <i>Declaration of Julie Rubin in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Thagard, Kristine) (Entered: 12/28/2018) |
| 12/28/2018 | 107 (5 pgs) | Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 106 |

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| | | Application to Employ Grebow & Rubin as Special Counsel for Trustee and Estate <i>Declaration of Julie Rubin in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Thagard, Kristine) (Entered: 12/28/2018) |
| 12/28/2018 | 108 (17 pgs) | Application to Employ Barnes & Thornburg LLP as Special Counsel for Trustee and Estate <i>Declaration of David E. Wood in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Thagard, Kristine) (Entered: 12/28/2018) |
| 12/28/2018 | 109 (5 pgs) | Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 108 Application to Employ Barnes & Thornburg LLP as Special Counsel for Trustee and Estate <i>Declaration of David E. Wood in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Thagard, Kristine) (Entered: 12/28/2018) |
| 12/29/2018 | 110 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 105 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 12/29/2018. (Admin.) (Entered: 12/29/2018) |
| 01/09/2019 | 111 (12 pgs) | Supplemental <i>Declaration of Kristine A. Thagard in Support of Motion to Approve Use, Sale, or Lease of Estate Property; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Thagard, Kristine) (Entered: 01/09/2019) |
| 01/10/2019 | 112 (122 pgs) | Motion <i>Chapter 7 Trustee's Motion for Order to Continue Business Operations (Manage Real Property) Through and Including June 28, 2019, by Continuing to: (1) Collect Rents; and (2) Pay Operating Expenses; Memorandum of Points and Authorities and Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 1/31/19 at 10:30 a.m., Ctrm 5A]</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 01/10/2019) |
| 01/10/2019 | 113 (5 pgs) | Notice of motion/application Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 112 Motion <i>Chapter 7 Trustee's Motion for Order to Continue Business Operations (Manage Real Property) Through and Including June 28, 2019, by Continuing to: (1) Collect Rents; and (2) Pay Operating Expenses; Memorandum of Points and Authorities and Declaration of Richard A. Marshack in Support; with Proof of Service [Hrg. 1/31/19 at 10:30 a.m., Ctrm 5A]</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 01/10/2019) |

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| 01/10/2019 | 114 | Hearing Set (RE: related document(s) 112 Chapter 7 Trustee's Motion for Order to Continue Business Operations (Manage Real Property) Through and Including June 28, 2019, by and Continuing to: (1) Collect Rents; and (2) Pay Operating Expenses, filed by Trustee Richard A Marshack (TR)). The Hearing date is set for 1/31/2019 at 10:30 AM at Crtrm 5A, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Erithe A. Smith (Duarte, Tina) (Entered: 01/11/2019) |
| 01/10/2019 | 115 | Hearing Held (RE: related document(s) 96 Chapter 7 Trustee's Motion to Approve Use, Sale, or Lease of Estate Property Under Section 363 filed by Trustee Richard A Marshack (TR)) - MOTION GRANTED UNDER 11 U.S.C. 363(c). (Duarte, Tina) (Entered: 01/11/2019) |
| 01/15/2019 | 116 (28 pgs) | Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 108 Application to Employ Barnes & Thornburg LLP as Special Counsel for Trustee and Estate <i>Declaration of David E. Wood in support; with Proof of Service</i>). (Hays, D) (Entered: 01/15/2019) |
| 01/15/2019 | 117 (29 pgs) | Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 106 Application to Employ Grebow & Rubin as Special Counsel for Trustee and Estate <i>Declaration of Julie Rubin in support; with Proof of Service</i>). (Hays, D) (Entered: 01/15/2019) |
| 01/16/2019 | 118 (12 pgs) | Monthly Operating Report. Operating Report Number: 3. For the Month Ending 12/31/18 <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 01/16/2019) |
| 01/18/2019 | 119 (46 pgs) | Supplemental <i>Supplement to Trustee's Application to Employ Force 10 Partners LLC as Financial Analyst and Declaraton of Karl Anderson in support; with Proof of Service; related Dk #60</i> Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 01/18/2019) |
| 01/22/2019 | 120 (2 pgs) | Order Granting Application By Chapter 7 Trustee To Employ Barnes And Thornburg LLP As Special Counsel. (BNC-PDF) (Related Doc # 108) Signed on 1/22/2019. (Steinberg, Elizabeth) (Entered: 01/22/2019) |
| 01/22/2019 | 121 (2 pgs) | Order Denying Application By Chapter 7 Trustee To Employ Force Ten Partners LLC As The Trustee's Field Agent And Finance Advisor Without Prejudice (BNC-PDF) (Related Doc |

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| | | # 60) Signed on 1/22/2019. (Steinberg, Elizabeth) (Entered: 01/22/2019) |
| 01/23/2019 | 122 (2 pgs) | Order Granting Application to Employ Grebow & Rubin LLP (BNC-PDF) (Related Doc # 106) Signed on 1/23/2019. (Reid, Rick) (Entered: 01/23/2019) |
| 01/23/2019 | 123 (2 pgs) | Order Granting Chapter 7 Trustee's Motion to Approve Tenant Assignment Agreement (BNC-PDF) (Related Doc # 96) Signed on 1/23/2019 (Duarte, Tina) (Entered: 01/23/2019) |
| 01/24/2019 | 124 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 120 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 01/24/2019. (Admin.) (Entered: 01/24/2019) |
| 01/24/2019 | 125 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 121 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 01/24/2019. (Admin.) (Entered: 01/24/2019) |
| 01/25/2019 | 126 (70 pgs) | Application to Employ Force 10 Partners LLC as Financial Advisor <i>Trustee's Renewed Application; with Declaration of Adam Meislik in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 01/25/2019) |
| 01/25/2019 | 127 (8 pgs) | Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 126 Application to Employ Force 10 Partners LLC as Financial Advisor <i>Trustee's Renewed Application; with Declaration of Adam Meislik in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard)). (Marshack (TR), Richard) (Entered: 01/25/2019) |
| 01/25/2019 | 128 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 122 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 01/25/2019. (Admin.) (Entered: 01/25/2019) |
| 01/25/2019 | 129 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 123 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 01/25/2019. (Admin.) (Entered: 01/25/2019) |
| 01/31/2019 | 131 | Hearing Held (RE: related document(s) 112 Chapter 7 |

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| | | Trustee's Motion for Order to Continue Business Operations (Manage Real Property) Through and Including June 28, 2019, by and Continuing to: (1) Collect Rents; and (2) Pay Operating Expenses filed by Trustee Richard A Marshack (TR)) - MOTION GRANTED. (Duarte, Tina) (Entered: 02/04/2019) |
| 02/01/2019 | 130 (2 pgs) | Order Granting Chapter 7 Trustee's Motion for Order to Continue Business Operations (Manage Real Property) Through and Including June 28, 2019 by Continuing To: (1) Collect Rents; and (2) Pay Operating Expenses. (BNC-PDF) (Related Doc # 112) Signed on 2/1/2019 (Steinberg, Elizabeth) (Entered: 02/01/2019) |
| 02/06/2019 | 132 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 130 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 02/06/2019. (Admin.) (Entered: 02/06/2019) |
| 02/07/2019 | 133 (2 pgs; 2 docs) | Notice of Assets filed by trustee and court's notice of possible dividend (BNC) Filed by Trustee Richard A Marshack (TR). Proofs of Claims due by 5/13/2019. Government Proof of Claim due by 4/1/2019. (Marshack (TR), Richard) (Entered: 02/07/2019) |
| 02/07/2019 | 134 | Meeting of Creditors Held and Concluded (Chapter 7 Asset) Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 89 Continuance of Meeting of Creditors (Rule 2003(e)) Filed by Trustee Richard A Marshack (TR). 341(a) Meeting Continued to 02/05/2019 at 01:02 PM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. (Marshack (TR), Richard) filed by Trustee Richard A Marshack (TR)). (Marshack (TR), Richard) (Entered: 02/07/2019) |
| 02/07/2019 | 135 (12 pgs) | Monthly Operating Report. Operating Report Number: 4. For the Month Ending 1/31/19 <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 02/07/2019) |
| 02/10/2019 | 136 (10 pgs) | BNC Certificate of Notice (RE: related document(s) 133 Notice of Assets filed by trustee and court's notice of possible dividend (BNC) filed by Trustee Richard A Marshack (TR)) No. of Notices: 484. Notice Date 02/10/2019. (Admin.) (Entered: 02/10/2019) |
| 02/12/2019 | 137 (84 pgs) | Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 126 Application to Employ Force 10 Partners LLC as Financial |

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| | | Advisor <i>Trustee's Renewed Application; with Declaration of Adam Meislik in support; with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 02/12/2019) |
| 02/14/2019 | 138 (2 pgs) | Order Granting Renewed Application By Chapter 7 Trustee to Employ Force Ten Partners LLC As The Trustee's Financial Advisor (BNC-PDF) (Related Doc # 126) Signed on 2/14/2019. (Steinberg, Elizabeth) (Entered: 02/14/2019) |
| 02/17/2019 | 139 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 138 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 02/17/2019. (Admin.) (Entered: 02/17/2019) |
| 02/25/2019 | 140 (4 pgs) | Notice of Increased Hourly Rates Charged by Marshack Hays LLP; with Proof of Service Filed by Trustee Richard A Marshack (TR). (Wood, David) (Entered: 02/25/2019) |
| 03/05/2019 | 141 (9 pgs) | Stipulation By Richard A Marshack (TR) and <i>Interstate Fire and Casualty Company, Gotham Insurance Company and National Union Fire Insurance Company of Pittsburgh, PA re: Relief from the Automatic Stay re: Insurance Carrier Litigation; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Thagard, Kristine) (Entered: 03/05/2019) |
| 03/06/2019 | 142 (2 pgs) | ORDER APPROVING STIPULATION RE: RELIEF FROM THE AUTOMATIC STAY RE: INSURANCE CARRIER LITIGATION (BNC-PDF) (Related Doc # 141) Signed on 3/6/2019 (Reid, Rick) (Entered: 03/06/2019) |
| 03/08/2019 | 143 (3 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 142 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 03/08/2019. (Admin.) (Entered: 03/08/2019) |
| 03/13/2019 | 144 (15 pgs) | Monthly Operating Report. Operating Report Number: 5. For the Month Ending 2/28/19 with Proof of Service Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 03/13/2019) |
| 03/13/2019 | 145 (8 pgs) | Notice of Motion and Motion Under LBR 2016-2 For Approval of Cash Disbursements by the Trustee; Opportunity to Request Hearing; and Declaration of Trustee with Proof of Service Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 03/13/2019) |
| 03/19/2019 | 146 (58 pgs) | Statement Professional Fee Statement No. 2 of Marshack Hays LLP [Period: 12/16/18 - 02/28/19]; with Proof of |

| | | |
|------------|---------------------------------|---|
| | | Service Filed by Trustee Richard A Marshack (TR). (Wood, David) (Entered: 03/19/2019) |
| 04/02/2019 | 147 (12 pgs) | Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 145 Notice of Motion and Motion Under LBR 2016-2 For Approval of Cash Disbursements by the Trustee; Opportunity to Request Hearing; and Declaration of Trustee <i>with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 04/02/2019) |
| 04/03/2019 | 148 (1 pg) | Order Granting Motion For Approval of Cash Disbursements by the Trustee Under LBR 2016-2 (BNC-PDF) (Related Doc # 145) Signed on 4/3/2019 (Reid, Rick) (Entered: 04/03/2019) |
| 04/03/2019 | 149 (14 pgs) | Monthly Operating Report. Operating Report Number: 6. For the Month Ending 3/31/19 <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 04/03/2019) |
| 04/05/2019 | 150 (2 pgs) | BNC Certificate of Notice - PDF Document. (RE: related document(s) 148 Order on Motion For Approval of Cash Disbursements by the Trustee Under LBR 2016-2 (BNC-PDF)) No. of Notices: 1. Notice Date 04/05/2019. (Admin.) (Entered: 04/05/2019) |

| PACER Service Center | | | |
|------------------------|---------------------|-------------------------|---|
| Transaction Receipt | | | |
| 04/17/2019 11:13:14 | | | |
| PACER Login: | mh4052870:3453976:0 | Client Code: | 1015-123 |
| Description: | Docket Report | Search Criteria: | 8:18-bk-13638-ES Fil or Ent: filed From: 1/17/2001 To: 4/17/2019 Doc From: 0 Doc To: 99999999 Term: included Format: html Page counts for documents: included |
| Billable Pages: | 15 | Cost: | 1.50 |

Exhibit “2”

1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 KRISTINE A. THAGARD, #094401
kthagard@marshackhays.com
3 MARSHACK HAYS LLP
870 Roosevelt
4 Irvine, California 92620-5749
Telephone: (949) 333-7777
5 Facsimile: (949) 333-7778

6 Attorneys for Chapter 7 Trustee,
RICHARD A. MARSHACK

FILED & ENTERED

FEB 01 2019

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY steinber DEPUTY CLERK

7
8
9 UNITED STATES BANKRUPTCY COURT
10 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

11 In re
12 FRIENDLY VILLAGE MHP, ASSOCIATES,
13 L.P.,

14
15 Debtor.
16
17

Case No. 8:18-bk-13638-ES

Chapter 7

ORDER GRANTING CHAPTER 7
TRUSTEE'S MOTION FOR ORDER TO
CONTINUE BUSINESS OPERATIONS
(MANAGE REAL PROPERTY) THROUGH
AND INCLUDING JUNE 28, 2019, BY
CONTINUING TO: (1) COLLECT RENTS;
AND (2) PAY OPERATING EXPENSES

[MOTION DK. NO. 112]

Date: January 31, 2019
Time: 10:30 a.m.
Ctvm: 5A

21 The Court having considered the motion for entry of an order to continue business operations
22 (manage real property) through and including June 28, 2019, by continuing to: (1) collect rents; and
23 (2) pay operating expenses ("Motion")¹, filed by Richard A. Marshack, Chapter 7 Trustee
24 ("Trustee") as Docket No. 112, for good cause, the Court enters its order as follows:
25
26
27
28

¹ All terms not defined in this order are used as they are defined in the Motion.

1 IT IS ORDERED that:

2 (1) The Motion is granted in its entirety;

3 (2) Trustee is authorized to continue to operate the Property through his property
4 manager through June 28, 2019;

5 (3) Trustee is authorized to collect rents from IPS;

6 (4) Trustee is authorized to delegate to IPS the performance of all management-related
7 activities; and

8 (5) The Trustee is authorized to expend estate property to pay expenses arising in the
9 ordinary course of operating the Property and to repair or preserve the Property including, but not
10 limited to, paying mortgages, insurance, taxes, maintenance, and repairs.

11 ###

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23 Date: February 1, 2019



Erithe Smith
United States Bankruptcy Judge

Exhibit “3”



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
Health Officer

CYNTHIA A. HARDING, M.P.H.
Chief Deputy Director

ANGELO J. BELLOMO, REHS, QEP
Deputy Director for Health Protection

TERRI S. WILLIAMS, REHS
Director of Environmental Health

BRENDA J. LOPEZ, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5374 • FAX (626) 813-3000

BOARD OF SUPERVISORS

Hilda L. Solis
First District

Mark Ridley-Thomas
Second District

Sheila Kuehl
Third District

Janice Hahn
Fourth District

Kathryn Barger
Fifth District

January 8, 2019

Richard Marshack, Chapter 7 Trustee
Marshack Hayes LLP
870 Roosevelt
Irvine, CA 92620

Certified Mail: 91 7199 9991 7037 9753 6393

Subject: FRIENDLY VILLAGE MHP ASSOCIATES, L.P., Case 8:18-bk-13638-ES

Dear Mr. Marshack,

It is our understanding that you are the Chapter 7 Trustee for Friendly Village Mobile Home Park Associates, L.P.

The Los Angeles County Department of Public Health, Solid Waste Management Program (SWMP), acting as the Local Enforcement Agency (LEA), is certified by the Department of Resources Recycling and Recovery (CalRecycle) to enforce state laws and regulations at solid waste sites within its jurisdiction.

The LEA has inspected the Friendly Village Mobile Home Park property located at 5450 Paramount Blvd, in Long Beach, on a quarterly basis as a closed disposal site. This is to inform you that exceedances of methane gas were noted on the June, August and September 2018 inspection reports. During those inspections perimeter probes installed at the property detected subsurface migration of methane gas. As a result, the LEA issued the attached inspection report dated September 20, 2018, requesting the submission of a detailed workplan for the installation of a gas collection system on the Friendly Village property. This workplan was required to be submitted to the LEA by November 2, 2018.

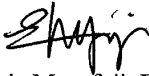
Please also note that other violations and issues were noted on the inspection report, and are required to be corrected so as to come into regulatory compliance.

Failure to provide a compliance schedule on or before January 22, 2019 may result in the issuance of a Notice and Order, and/or referral to the District Attorney's Office for prosecution. This requirement does not supersede any other requirements from any other agencies concerning this property and waste disposal or property maintenance.

Upon issuance of the Notice and Order, administrative civil penalties may be imposed in an amount not to exceed \$5,000 per day for each day the facility fails to achieve compliance with the time frame specified. The LEA may petition the Superior Court for civil penalties in amount not to exceed \$10,000 per day for each violation.

Please contact Eric Morofuji by phone (626) 430-5540 or email emorofuji@ph.lacounty.gov at your earliest convenience to discuss compliance with the attached report requiring installation of a landfill gas collection and control system at the property and other remaining violations and issues.

Sincerely,



Eric Morofuji, Environmental Health Staff Specialist
LA County Local Enforcement Agency (LEA)

Enclosure

Electronic copies:
Shikari Nakagawa-Ota, Chief LEA
Mark Como, LA County LEA
Dawn Plantz, CalRecycle
Renee Jensen, Esq.

Exhibit “4”

Closed Disposal Site Inspection Report (188)

| | | | | | |
|--|--|------------------------|--|------------------------------|--|
| Enforcement Agency: | | | | Local Inspection ID: | |
| County of Los Angeles | | | | | |
| SWIS Facility File Number (99-xx-9999) | | Inspection Date | | Program Code | |
| 19-AK-0084 | | 9/20/2018 | | LEA Periodic | |
| Time In | | Time Out | | Inspection Time | |
| Facility Name | | | | Received By | |
| Paramount Dump | | | | VIA EMAIL AND U.S. MAIL | |
| Facility Location | | | | Owner Name | |
| multiple addresses see comments, Long Beach 90805 | | | | MULTIPLE OWNERS *SEE REPORT* | |
| Inspector | | | | Also Present (Name) | |
| MARK COMO | | | | Cynthia , Emerald | |

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF PUBLIC RESOURCES CODE (PRC) AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR)

| | | |
|--|----------|---|
| No Violations or Areas of Concern | | |
| V | A | Regulations |
| X | | 20921 - Gas Monitoring and Control |
| | | <p>Comments: Friendly Village Ensure that landfill gas generated onsite is controlled at the site's perimeter boundary not to exceed 5% by volume in air. During the inspection, concentrations above 5% were detected at monitoring wells P1 and P2.</p> <p>See comments in report regarding Friendly Village</p> |
| | X | 20931 - Structure Monitoring |
| | | <p>Comments: Friendly Village As specified in the approved workplan, submit a report to the LEA regarding completion of the installation of methane monitoring equipment for Friendly Village coaches, clubhouse and apartments. The report must also include the proposed maintenance plan for the maintenance of these monitors.</p> <p>*Friendly Village MHP Management is required to submit the installation report by 10/25/18.</p> <p>See comments in report regarding Friendly Village.</p> |

| | |
|---|---|
| X | 20937 - Reporting and Control of Excessive Gas Concentrations |
| | <p>Comments: Friendly Village Due to the excessive gas concentrations at the site's perimeter boundary, the owner shall comply with the following:</p> <ul style="list-style-type: none"> -Immediately take all steps necessary to protect public health/safety and the environment. -Within 60 days of detection, implement a remediation plan approved by the LEA and Calrecycle. The LEA shall be notified when the plan has been implemented. The plan shall describe the nature and extent of the problem and the proposed remedy. -Construct a gas control system that meets the criteria of 27CCR §20939, designed by a registered civil/mechanical engineer, within a period of time specified by the LEA. Installation of the system shall be in accordance with a design and in a manner approved for construction by the LEA. <p>*Friendly Village MHP Management is required to submit a remediation plan by 10/25/18. *Friendly Village MHP Management is required to submit a gas control system workplan by 11/2/18.</p> <p>See comments in report regarding Friendly Village</p> |
| X | 21140 - Final Cover |
| | <p>Comments: Friendly Village All areas of street asphalt that are damaged or cracked must be repaired or replaced. The new finished surfaces must be level with adjacent surfaces. These damaged areas of asphalt should be repaired and maintained to provide adequate drainage of surface water runoff and to control the potential for landfill gas emissions.</p> <p>See comments in report regarding Friendly Village Road Repair/Resurfacing.</p> |

Inspection Report Comments:

CLOSED DISPOSAL SITE
2018 THIRD QUARTER INSPECTION

OWNER: City of Long Beach, Planning and Develop
2760 Studebaker Rd.
Long Beach, CA 90815

•DAVENPORT PARK: 9/27/18

- Weather conditions were clear/sunny, 80°F and light winds.
- Juan Lopez, of Azteca Landscape, was contacted to trim vegetation on the East slope of the property. Mr Lopez indicated that trimming was scheduled for October.
- The overall maintenance of the park was satisfactory.
- Methane gas monitoring was conducted at Park's perimeter monitoring wells.
- The following readings are in %Volume:
 - GW2 S=0.0 D=0.0
 - GW3 S=1.2 D=0.0
 - GW4 S=0.0 D=0.9
 - GW5 S=0.0 D=0.0
 - GW6 S=0.0 D=0.0
 - S=shallow interval
 - D=deep interval

*The LEA's RKI Eagle2 gas detector was used for monitoring activities.

•55TH WAY: 9/20/18

- Weather conditions were hot, clear skies, 85°F and light winds.
 - This section of the landfill is a long driveway that connects Davenport Park to Paramount Blvd.
 - No issues were observed during the inspection.
 - Methane gas monitoring was completed along the fence of the northern property boundary.
- *The LEA's RKI Eagle2 gas detector was used for monitoring activities.

•CAL COAST: 9/20/18

- Weather conditions were hot, clear, 85°F and light winds.

- No violations or areas of concern were observed on the property.
- This portion of the site is used as an open space/walking trail.
- The site was maintained free of litter.
- Perimeter monitoring resulted in no detectable methane gas.
- *The LEA's RKI Eagle2 gas detector was used for monitoring activities.

OWNER:

Friendly Village MHP Associates, L.P.
 Abe Arrigotti
 320 N. Park Vista St.
 Anaheim, CA 92806

•FRIENDLY VILLAGE: 9/27/18

- Weather conditions were sunny, 72°F and no winds.
- The general maintenance of the site's public areas were satisfactory.
- No methane gas was found while monitoring cracks found in the streets of the mobile home park.
- Methane gas monitoring was conducted under the following listed units, with no gas detected:
 - 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17
 - 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 34, 35, 36
 - 37, 38, 39, 40, 157, 158, 159, 160, 161, 162, 163
 - Club House, Apartment A, Apartment B
- Methane gas monitoring was conducted at the site's perimeter monitoring wells.

All recorded readings are in %Volume:

P1: S=2.9 D=18.5
 P2: S=8.5 D=17.5
 P3: S=0.0 D=1.1
 P4: S=0.0 D=0.0
 P5: S=0.0 D=0.0
 P6: S=0.0 D=0.0
 S=shallow interval
 D=deep interval

- *The LEA's RKI Eagle2 gas detector was used for all site gas monitoring.

Road Repair/Resurfacing:

- As per Site Manager, the last surface repair work was conducted at the end of July and beginning of August.
- 7/11/18: The LEA met with Friendly Village Management at Baldwin Park Headquarters to discuss a new road repair and resurfacing workplan.
- 7/19/18: Workplan draft was submitted by Friendly Village Management to mitigate existing road surface and drainage issues.
- 9/12/18: The LEA met with Friendly Village Management at the Baldwin Park Headquarters to discuss and review the developing workplan for road repair and resurfacing.

Perimeter Monitoring Network

- 8/15/18: Friendly Village Management was notified via email to submit the following:
 - 1) Monitoring well installation information report.
 - 2) Initial gas monitoring results conducted by Stoney-Miller Consultants (SMC).
 - 3) Site gas monitoring plan.
- 8/16/18: SMC submitted a report that included perimeter well installation information and the results of their initial gas monitoring of perimeter monitoring wells.
- 8/20/18: SMC submitted a workplan that outlines the scheduled monitoring of all the perimeter monitoring wells.
- 8/23/18: LEA staff conducted a focused inspection of the Friendly Village perimeter monitoring wells.
- 9/11/18: Calrecycle staff were onsite to conduct gas monitoring and sampling at the perimeter monitoring wells.
- 9/24/18: The LEA accepted the Methane Monitoring workplan submitted by SMC on 8/20/18.

Gas Collection/Control System

- 9/12/18: The LEA had a meeting with Friendly Village Management at the Baldwin Park Headquarters to discuss the development of site gas collection and control system.
- *Due date for Gas Collection System workplan is 11/2/18.

OWNER:

Storage for Less Paramount LLC

Larry Leis

P.O. Box 394

San Juan Capistrano, CA 92693

•STORE FOR LESS: 9/28/18

-Weather conditions were sunny, 82°F and light winds.

-No issues were observed at the public self-storage facility..

-No methane gas alarms from the continuous monitors were reported for this quarter by the site manager.

-No evidence of methane was detected while monitoring the following perimeter wells:

W1: S=0.0 M=0.0 D=0.0

W2: S=0.0 M=0.0 D=0.0

W3: S=0.0 M=0.0 D=0.0

W4: S=0.0 M=0.0 D=0.0

W5: S=0.0 M=0.0 D=0.0

S=shallow interval

M=medium interval

D=deep interval

*The LEA's RKI Eagle2 gas detector was used for monitoring activities.

Exhibit “5”



January 21, 2019

Los Angeles County Local Enforcement Agency (LEA)
Solid Waste Management Program
5050 Commerce Drive, First floor
Baldwin Park, Ca 91706

Attention: Mr. Eric Morofuji
Environmental Health Specialist IV

Subject: Compliance Schedule
Friendly Village Mobile Home Park
5450 Paramount Boulevard
Long Beach, California 90805

Dear Mr. Morofuji:

Northstar Environmental Remediation Inc. has been retained by the Chapter 7 Trustee for Friendly Village Mobile Home (Investors' Property Services; i.e., Management of the Site) to prepare a compliance schedule as requested in your January 8, 2019 letter regarding violations at the Friendly Village Mobile Home Park located at 5450 Paramount Boulevard in the City of Long Beach, California (the Site). We understand that the Los Angeles County Department of Public Health, Solid Waste Management Program (SWMP) is acting as the Local Enforcement Agency (LEA) for the Site and is certified by the Department of Resources Recycling and Recovery (CalRecycle) to enforce state laws and regulations at solid waste sites located within its jurisdiction.

The schedules presented herein is based on our best estimate for task completion and is dependent on client authorization, sufficient funding, weather, and subcontractor availability. Funding for all improvements at the Site including those related to landfill issues may be extremely challenging under the provisions of Chapter 7 bankruptcy code.

A technical meeting with the LEA is requested to discuss the proposed schedule, the need for an on-Site gas control system and other technical issues identified at the Site. It is anticipated that the Management team and CalRecycle will attend this meeting along with the LEA.

Outlined below is a list of the compliance issues that we believe are outstanding based on our current understanding of the Site.

COMPLIANCE ISSUES

The following compliance issues are believed to exist at the Site based on LACPH's January 2019 letter and their September 20, 2018 Inspection Report:

WBE, SBE, DBE Certified • License No. 827022
26225 Enterprise Court, Lake Forest, CA 92630 • tel: (949) 580-2800 • fax: (949) 580-2802

January 22, 2019

Compliance Schedule – FVMHP
Page No: 2

- 1) Methane Monitoring Under Structures:
 - a) Complete installation of explosive gas monitors under individual coaches;
 - b) Complete installation of the continuous methane gas monitoring system under the Clubhouse and Apartments; and
 - c) Prepare and submit a maintenance plan for monitoring devices.
- 2) LFG Compliance Perimeter Wells:
 - a) Implement approved August 20, 2018 SMC monitoring plan for existing landfill gas (LFG) and LFG Compliance Perimeter wells; and
 - b) Disposal of waste soils in DOT drums in Storage Yard.
- 3) Roadway Imperfections:
 - a) Complete report repairs as per October 24, 2017 SMC work plan surface imperfections.
- 4) Off-Site Methane Gas Control System:
 - a) Prepare and submit a remediation work plan to address the off-Site migration of methane gas along a portion of the eastern boundary.
- 5) On-Site Methane Gas Collection and Control System:
 - a) Prepare and submit a gas collection and control work plan to address on-Site methane gas.

Some of the compliance issues lists above have been discussed with Sierra Corporation (Sierra) prior to their release of ownership of the Site through Chapter 7 in the fall of 2018. Those discussions and the status of any requests made by the LEA are not fully known by the current Management of the Site. Little documentation associated with Sierra's communication with the LEA regarding compliance issues has been made available in the existing file provided by Management.

A brief discussion of the scope of work to be performed for each issue is provided below. A tentative schedule to complete the scope of work is provided on the attached **Figure 1** and **Figure 2**.

PROPOSED SCOPE OF WORK TO MEET COMPLIANCE

A brief discussion of the scope of work to be performed for each issue listed above is provided below. The schedule for task completion for each issue is present on the attached **Figure 1** and **Figure 2**.

Issue 1: Methane Monitoring Under Structures

A revised work plan to replace the explosive gas monitors under each coach and to install continuous methane gas monitors under the clubhouse and apartments was submitted by SMC to LEA on December 20, 2017. Much of this work has been completed by SMC prior to Sierra's

January 22, 2019

Compliance Schedule – FVMHP
Page No: 3

request to SMC stop all work in September 2018. The installation records for the work performed has been requested from Sierra but has not been received.

The tasks that remain under this issue include the following:

- a) Monitors – Individual Coaches: The installation of explosive gas monitors under individual coaches needs to be completed. The monitors under approximately 25 coaches need to be replaced. These coaches have access issues and/or do not currently have power underneath. It is suggested that the monitors under all coaches be checked for operational status as part of the work to be completed;
- b) Monitors – Permanent Structures: The installation of the continuous methane gas monitoring system under the Clubhouse and Apartments needs to be completed. The monitoring system has been installed and is currently operational. The WIFI communication/notification system needs to be competed; and
- c) Maintenance Plan: A maintenance plan for the explosive gas monitors under individual coaches and the methane detection system under the permanent buildings need to be prepared and submitted to the LEA.

The schedule for task completion is present on **Figure 1**.

Issue 2: LFG Perimeter Compliance Wells:

A monitoring work plan was submitted by SMC on August 20, 2018 to monitor LFG both on-Site in existing LFG wells and in the newly constructed LFG Compliance Perimeter Wells. This plan was approved by the LEA but apparently never implemented by Sierra.

The tasks that remain under this issue include the following:

- a) Monitoring Plan
 - i) Update current monitoring plan;
 - ii) LEA approval; and
 - iii) Monthly monitoring – on- and off-Site wells.
- b) Waste Soil Disposal
 - i) Characterize waste – waste soils; and
 - ii) Waste disposal.

The schedule for task completion is present on **Figure 1**.

Issue 3: Roadway Imperfections:

A work plan to repair the imperfection on existing roadways was submitted by SMC to the LEA on October 24, 2017. This plan required that the roadways be repaired (i.e., patched) with large cracks from settlement being a high priority. A completion report for the repairs was to be submitted to the LEA on the 15th and 30th of each month. The last report submitted by SMC was June 21, 2018.

Northstar Environmental Remediation

January 22, 2019

Compliance Schedule – FVMHP
Page No: 4

Patching the existing roadway using cold patch does not appear to be a sufficient approach to address the road issue. The Managers of the Site have requested bids from pavement contractors and is in the process of revising the approach formerly used by Sierra.

The tasks that remain under this issue include the following:

- a) Evaluate repair alternatives;
- b) Alternative selection;
- c) Prepare bid package – Subcontractors;
- d) Subcontractor selection;
- e) Submit final repair plan and schedule;
- f) LEA approval; and
- g) Implement repairs.

The schedule for task completion is present on **Figure 1**.

Issue 4: Off-Site Methane Gas Control System:

Due to the detections of excessive methane detected in two LFG Perimeter Compliance Wells at the Site, a remediation work plan to control the off-Site migration of methane gas along a portion of the eastern boundary was request by the LEA. This request was made possibly in a meeting with Sierra on September 12, 2018. The plan was to be submitted by October 25, 2018. The plan was to describe the nature and extent of the excessive gas concentrations and was to be designed by a registered/civil engineer. The control system was to be in accordance with a design and in a manner approved for construction by the LEA.

As per 27CCR §20921 (Gas Monitoring and Control) the concentration of methane gas must not exceed 1.25% by volume in air within any portion of any on-site structures or the concentration of methane gas migrating from the disposal site must not exceed 5% by volume in air at the boundary. As per 27CCR §20939 (Control of Excessive Gas Concentrations), to reduce methane concentrations at the boundary to an acceptable level, a subsurface landfill gas control systems may include, but are not limited to, one or more of the following:

- 1) Active perimeter or interior control systems which are designed to accommodate the maximum expected flow rate from the disposal site, and provide access for system monitoring and flow rate adjustment. The control system shall be operated to ensure that gas is controlled at a sufficient rate without over pulling, to maximize control and not production, and to ensure adequate control for compliance with §20921(a).
- 2) Perimeter air injection systems which shall be installed in native soil between the refuse and the area to be protected. Injection wells shall not be located in the refuse. The system shall be designed and operated to prevent air infiltration into the landfill but maintain landfill gas concentrations to compliance levels.
- 3) Passive systems, including cutoff trenches, slurry walls, and vent trenches, when used shall be constructed with an impermeable geomembrane liner. The passive systems shall

Northstar Environmental Remediation

January 22, 2019

Compliance Schedule – FVMHP
Page No: 5

be installed to the depth of permanent low seasonal ground water or keyed into a low permeability layer below the limit of migration.

Currently, it is believed that an intermit system to control gas is preferred solution pending potential sale of the Site.

To prepare a remediation plan to address the off-Site migration of methane that meets the criteria listed above, the following tasks are proposed:

- a) LEA Technical Meeting:
 - i) Scheduling; and
 - ii) Meeting.
- b) Evaluation of perimeter monitoring network:
 - i) Review of existing network – adjacent parcels (i.e., City of Long Beach)
 - ii) Work plan – delineation of off-Site gas migration; and
 - iii) LEA review;
- c) Delineation of Off-Site Gas Migration
 - i) Installation of additional wells; and
 - ii) Monitoring.
- d) Feasibility Study (FS) – gas control system:
 - i) Active vs. passive control system;
 - ii) Intermit system vs. permanent system; and
 - iii) FS report preparation and submittal.
- e) Gas control system installation work plan:
 - i) Plan preparation;
 - ii) Plan submittal; and
 - iii) LEA review.
- f) Permitting:
 - i) Applications preparation;
 - ii) Rule 1150; and
 - iii) Treatment system.
- g) Installation of gas control system;
 - i) Prepare subcontractor bid package:
 - ii) Subcontractor selection; and
 - iii) Installation.
- h) Compliance Monitoring Plan

Northstar Environmental Remediation

January 22, 2019

Compliance Schedule – FVMHP
Page No: 6

- i) Preparation and submittal; and
- ii) LEA approval.

The schedule for task completion is present on **Figure 2**.

Issue 5: On-Site Methane Gas Control System:

A gas control system work plan for On-Site methane was request by the LEA in a meeting with Sierra on September 12, 2018. The plan was to be submitted by November 2, 2018. The installation of the system was to be in accordance with a design and in a manner approved for construction by the LEA.

Based on 27CCR §20921 (Gas Monitoring and Control), to provide for the protection of public health and safety and the environment, LFG generated at a Site should be controlled to satisfy the following requirements:

- 1) The concentration of methane gas must not exceed 1.25% by volume in air within any portion of any on-site structures.
- 2) The concentration of methane gas migrating from the disposal site must not exceed 5% by volume in air at the disposal site permitted facility boundary or an alternative boundary approved in accordance with §20925.
- 3) Trace gases shall be controlled to prevent adverse acute and chronic exposure to toxic and/or carcinogenic compounds.

Methane gas exceeding 1.25% by volume in air has not been detected in any portion of any on-Site structures monitored to date. No trace gases have been detected in any portion of any on-Site structures monitored to date. The detection of methane above 5% by volume air in two perimeter wells is to be addressed by an off-Site gas control system (Issue 4 above).

We believe that a gas control system for on-Site methane gas is not currently required based on the 27CCR and our current understanding of the Site. The need for on-Site gas control system will be evaluated as part of the feasibility study to be performed for the off-Site gas control system outlined above.

SCHEDULE FOR TASK COMPLETION

A schedule for the completion of the tasks proposed for Issues 1 thru 3 is presented on **Figure 1**. The schedules presented herein is based on our best estimate for task completion and is dependent on client authorization, sufficient funding, weather, and subcontractor availability. Funding for any environmental issues at the Site may be extremely challenging with the Site currently being managed under the provisions of Chapter 7 bankruptcy code.

For Issue 4 (Off-Site Gas Control), the completion of these tasks is meant to be conceptual given the need to expand the existing perimeter well system to fully delineate the source of off-Site gas. A schedule for the completion of this task is presented on **Figure 2**. The duration in time for each task is based on our best estimated for task completion and is dependent on client

Northstar Environmental Remediation

January 22, 2019

Compliance Schedule – FVMHP
Page No: 7

authorization, funding, and subcontractor availability. LEA review and approval for each work plan submittal is assumed to be four weeks.

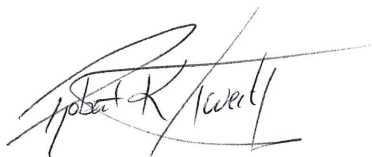
A meeting to discuss our approach to the Issue 4 is included in the presented schedule.

CLOSURE

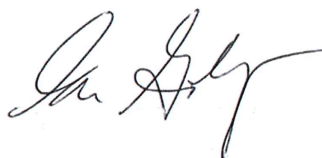
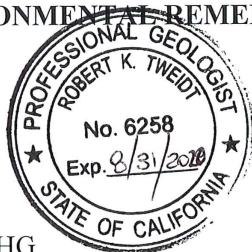
We are available to meet and discuss the enclosed at you earliest convenience.

Respectfully submitted,

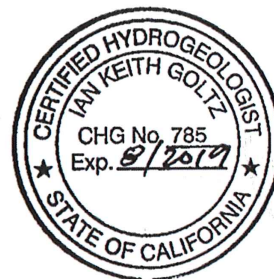
NORTHSTAR ENVIRONMENTAL REMEDIATION, INC.



Robert K. Tweidt, PG, CHG
Principal



Ian Keith Goltz, PG, CHG
Associate



Attachments: Figure 1 Compliance Schedule – Issues 1 through 3
Figure 2 Compliance Schedule – Issues 4 and 5

Distribution by email: Eric Morofuji (emorofuji@ph.lacounty.gov)
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Northstar Environmental Remediation

FIGURE 1
COMPLIANCE SCHEDULE
COMPLIANCE ISSUES 1 THRU 3
Friendly Village Mobile Home Park
5450 Paramount Blvd, Long Beach, CA 90805

| Issue | | Task | 19-Jan | 28-Jan | 3-Feb | 10-Feb | 17-Feb | 24-Feb | 4-Mar | 11-Mar | 18-Mar | 25-Mar | 1-Apr | 8-Apr | 15-Apr | 22-Apr | 29-Apr | 6-May | 13-May | 20-May | 27-May | 3-Jun | 10-Jun | 17-Jun | 24-Jun | 1-Jul | 8-Jul | 15-Jul | 22-Jul | 29-Jul | |
|---------------------|--|--|--------|--------|-------|--------|--------|--------|-------|--------|--------|--------|-------|-------|--------|--------|--------|-------|--------|--------|--------|-------|--------|--------|--------|-------|-------|--------|--------|--------|--|
| Compliance Schedule | | i) Schedule Submittal. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) LEA review and approval. | | | 1 | 2 | 3 | 4 | | | | | | | | | | | | | | | | | | | | | | | |
| 1a | Methane Monitoring Under Structures - Individual Coaches | i) Acquire existing installation field notes - Sierra. | | | | | | 5 | 6 | 7 | 8 | 9 | | | | | | | | | | | | | | | | | | | |
| | | ii) Inspections - All Coaches. | | | | | | | | | | 9 | 10 | | | | | | | | | | | | | | | | | | |
| | | iii) Equipment Order (Outstanding Detectors). | | | | | | | | | | | | 10 | 11 | 12 | | | | | | | | | | | | | | | |
| | | iii) Calibration of new equipment. | | | | | | | | | | | | | | | 13 | 14 | 15 | | | | | | | | | | | | |
| | | iv) Complete installations. | | | | | | | | | | | | | | | | 15 | 16 | 17 | 18 | | | | | | | | | | |
| 1b | Methane Monitoring Under Structures - Permanent Buildings (Cubhouse & Apartments) | i) System Inspection. | | | | | | | 6 | 7 | 8 | | | | | | | | | | | | | | | | | | | | |
| | | ii) System Updates - WIFI notification system. | | | | | | | | | | | 9 | 10 | | | | | | | | | | | | | | | | | |
| | | iii) System Test. | | | | | | | | | | | | 10 | | | | | | | | | | | | | | | | | |
| 1c | Methane Monitoring Under Structures - Maintenance Plan | i) Prepare and Submit Plan. | | | | | | | | | | | | | | | | | | | | 17 | 18 | 19 | | | | | | | |
| | | ii) LEA review and approval. | | | | | | | | | | | | | | | | | | | | | | 20 | 21 | 22 | 23 | | | | |
| | | iii) Implement Plan. | | | | | | | | | | | | | | | | | | | | | | | | | | 24 | | | |
| 2a | LFG Perimeter Compliance Wells - Update Plan | i) Update Monitoring Plan. | | | | | | | 6 | 7 | 8 | | | | | | | | | | | | | | | | | | | | |
| | | ii) LEA review and approval. | | | | | | | | | | | 9 | 10 | 11 | 12 | | | | | | | | | | | | | | | |
| | | iii) Implement Plan. | | | | | | | | | | | | | | | 13 | | | | | | | | | | | | | | |
| 2b | LFG Perimeter Compliance Wells - Waste Disposal | i) Characterize Waste (Sampling and Lab). | | | | | | | 6 | 7 | 8 | 9 | | | | | | | | | | | | | | | | | | | |
| | | ii) Waste Disposal. | | | | | | | | | | | | 10 | | | | | | | | | | | | | | | | | |
| 3 | Roadway Imperfections | i) Evaluate Repair Alternatives. | | | | | | | 6 | 7 | 8 | 9 | | | | | | | | | | | | | | | | | | | |
| | | ii) Alternative Selection. | | | | | | | | | | | | 10 | | | | | | | | | | | | | | | | | |
| | | iii) Prepare and Submit Repair Plan. | | | | | | | | | | | | | 11 | 12 | 13 | 14 | | | | | | | | | | | | | |
| | | iv) LEA review and approval. | | | | | | | | | | | | | | | | | 15 | 16 | 17 | 18 | | | | | | | | | |
| | | v) Subcontractor Bid and Selection. | | | | | | | | | | | | | | | | | | | | | 19 | 20 | 21 | 22 | | | | | |
| | | vi) Implement Repairs. | | | | | | | | | | | | | | | | | | | | | | | | | 23 | 24 | | | |

- Notes:
- 1 Items highlighted in red indicate tasks pending permitting approval and/or agency review and approval - assumes timely agency response.
 - 2 Schedule depends on client authorization and funding, and subcontractor availability.
 - 3 Review by Local Enforcement Agency (LEA) - County of Los Angeles highlighted in red (with technical support by CalRecycle).

FIGURE 2
COMPLIANCE SCHEDULE
COMPLIANCE ISSUE 4 - OFF-SITE GAS CONTROL SYSTEM
Friendly Village Mobile Home Park
5450 Paramount Blvd, Long Beach, CA 90805

| Issue | | Task | 19-Jan | | February-19 | | | | March-19 | | | | April-19 | | | | May-19 | | | | June-19 | | | | July-19 | | | | | | |
|---------------------|--|--|--------|--------|-------------|--------|--------|--------|----------|--------|--------|--------|----------|-------|--------|--------|--------|-------|--------|--------|---------|-------|--------|--------|---------|-------|-------|--------|--------|--------|----|
| | | | 21-Jan | 28-Jan | 3-Feb | 10-Feb | 17-Feb | 24-Feb | 4-Mar | 11-Mar | 18-Mar | 25-Mar | 1-Apr | 8-Apr | 15-Apr | 22-Apr | 29-Apr | 6-May | 13-May | 20-May | 27-May | 3-Jun | 10-Jun | 17-Jun | 24-Jun | 1-Jul | 8-Jul | 15-Jul | 22-Jul | 29-Jul | |
| Compliance Schedule | | i) Schedule Submittal. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) LEA review and approval. | | 1 | 2 | 3 | 4 | | | | | | | | | | | | | | | | | | | | | | | | |
| 4a | LEA Technical Meeting | i) Scheduling. | | | | | | 5 | 6 | 7 | 8 | 9 | | | | | | | | | | | | | | | | | | | |
| | | ii) Technical meeting. | | | | | | | | | | 9 | | | | | | | | | | | | | | | | | | | |
| 4b | Evaluation of Perimeter Monitoring Network | i) Review of existing network – adjacent parcels. | | | | | | | | | | | 10 | 11 | 12 | 13 | | | | | | | | | | | | | | | |
| | | ii) Work plan – delineation of off-site gas migration. | | | | | | | | | | | | | | | | 14 | 15 | | | | | | | | | | | | |
| | | iii) LEA review and approval. | | | | | | | | | | | | | | | | | 16 | 17 | 18 | 19 | | | | | | | | | |
| 4c | Delineation of Off-Site Gas Migration | i) Installation of additional wells. | | | | | | | | | | | | | | | | | | | | | 20 | 21 | 22 | 23 | | 24 | 25 | 26 | 27 |
| | | ii) Monitoring. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) Update Monitoring Plan. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iv) LEA review and approval. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4d | Feasibility Study – Gas Control System | i) Active vs. passive control system. | | | | | | | | | | | | | | | | | | | | | 20 | 21 | 22 | 23 | | | | | |
| | | ii) Intermit system vs. permanent system. | | | | | | | | | | | | | | | | | | | | | 20 | 21 | 22 | 23 | | | | | |
| | | iii) FS report preparation and submittal. | | | | | | | | | | | | | | | | | | | | | | | | | 24 | 25 | | | |
| 4e | Gas Control System Installation Work Plan | i) Work plan preparation. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) Plan submittal. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) LEA review and approval. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4f | Permitting | i) Applications (SCAQMD/CLB-DPW) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) SCAQMD Rule 1150 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) Treatment System. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4g | Installation of Gas Control System | i) Prepare subcontractor bid package. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) Subcontractor selection. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) Installation/Utility Drops | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iv) Implementation. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Notes:
1. Items highlighted in red indicate tasks pending permitting approval and/or agency review and approval - assumes timely agency response.
2. Schedule depends on client authorization and funding, and subcontractor availability.
3. Review by Local Enforcement Agency (LEA) - County of Los Angeles highlighted in red (with technical support by CalRecycle).

FIGURE 2
COMPLIANCE SCHEDULE
COMPLIANCE ISSUE 4 - OFF-SITE GAS CONTROL SYSTEM
Friendly Village Mobile Home Park
5450 Paramount Blvd, Long Beach, CA 90805

| Issue | Task | August-19 | | | | September-19 | | | | October-19 | | | November-19 | | | | December-19 | | | | January-20 | | | Feb-19 | | | | |
|---------------------|--|--|--------|--------|--------|--------------|-------|--------|--------|------------|-------|--------|-------------|--------|-------|--------|-------------|--------|-------|-------|------------|--------|--------|--------|--------|--------|--------|-------|
| | | 5-Aug | 12-Aug | 19-Aug | 26-Aug | 2-Sep | 9-Sep | 16-Sep | 23-Sep | 30-Sep | 7-Oct | 14-Oct | 21-Oct | 28-Oct | 4-Nov | 11-Nov | 18-Nov | 25-Nov | 2-Dec | 9-Dec | 16-Dec | 23-Dec | 30-Dec | 6-Jan | 13-Jan | 20-Jan | 27-Jan | 3-Feb |
| Compliance Schedule | i) Schedule Submittal. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ii) LEA review and approval. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4a | LEA Technical Meeting | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4b | Evaluation of Perimeter Monitoring Network | i) Technical meeting. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | i) Review of existing network – adjacent parcels. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) Work plan – delineation of off-site gas migration. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4c | Delineation of Off-Site Gas Migration | iii) LEA review and approval. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | i) Installation of additional wells. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) Monitoring. | 28 | 29 | 30 | 31 | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) Update Monitoring Plan. | | | | 32 | 33 | 34 | 35 | | | | | | | | | | | | | | | | | | | |
| | | iv) LEA review and approval. | | | | | | | | 36 | 37 | 38 | 39 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4d | Feasibility Study – Gas Control System | i) Active vs. passive control system. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) Intermit system vs. permanent system. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) FS report preparation and submittal. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4e | Gas Control System Installation Work Plan | i) Work plan preparation. | 28 | 29 | 30 | 31 | 32 | | | | | | | | | | | | | | | | | | | | | |
| | | ii) Plan submittal. | | | | | 33 | 34 | | | | | | | | | | | | | | | | | | | | |
| | | iii) LEA review and approval. | | | | | | | 35 | 36 | 37 | 38 | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4f | Permitting | i) Applications (SCAQMD/CLB-DPW) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) SCAQMD Rule 1150 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) Treatment System. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4g | Installation of Gas Control System | i) Prepare subcontractor bid package. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ii) Subcontractor selection. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iii) Installation/Utility Drops | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | iv) Implementation. | | | | | | | | | | | | | | | | | | | | | | | | | | |
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Notes:

1 Items highlighted in red indicate tasks pending permitting approval and/or agency review and approval - assumes timely

2 Schedule depends on client authorization and funding, and subcontractor availability.

3 Review by Local Enforcement Agency (LEA) - County of Los Angeles highlighted in red (with technical support by CalRecycle).

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled (specify): **TRUSTEE'S MOTION TO APPROVE USE, SALE OR LEASE OF ESTATE PROPERTY UNDER § 363; AND DECLARATION OF RICHARD A. MARSHACK IN SUPPORT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 17, 2019**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On **April 17, 2019**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR

FRIENDLY VILLAGE MHP ASSOCIATES LP
320 NORTH PARK VISTA STREET
ATTENTION : OFFICE
ANAHEIM, CA 92806-3722

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **April 17, 2019**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

| | |
|---|---|
| The Honorable Erithe A. Smith – <u>via personal delivery</u> U.S. Bankruptcy Court 411 W. Fourth Street, Suite 5-097 Santa Ana, CA 92701 | Attorneys for Plaintiffs/Tenants: <u>via E-mail</u> Aram Ordubegian – aram.ordubegian@arentfox.com Gary D. Fields – gary@fieldslawcorp.com Brian Kabateck – bsk@kbklawyers.com |
|---|---|

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 17, 2019 Chanel Mendoza
Date Printed Name

/s/ Chanel Mendoza
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): continued:**

- Howard Camhi hcamhi@ecjlaw.com, tcastelli@ecjlaw.com;amatsuoka@ecjlaw.com
- Ben G Gage bgage@cookseylaw.com, sith@ecf.courtdrive.com
- D Edward Hays ehays@marshackhays.com, 8649808420@filings.docketbird.com
- Jeffrey S Kaufman JSKaufman@wolfewyman.com, hlforeman@wolfewyman.com,kabeall@wolfewyman.com
- Paul J Laurin plaurin@btlaw.com, slmoore@btlaw.com;jboustani@btlaw.com
- Richard A Marshack (TR) pkraus@marshackhays.com, rmarshack@iq7technology.com
- Kristine A Thagard kthagard@marshackhays.com, 8649808420@filings.docketbird.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- David Wood dwood@marshackhays.com, 8649808420@filings.docketbird.com